

**FROM FREE MOVEMENT TO MIGRATION CRISIS: EVENTS AND
IDEAS IN EUROPE**

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DISSERTATION ABSTRACT

The principle of free movement has existed in some form since the founding of the European Economic Community in 1957. This principle was originally meant to facilitate the movement of industrial workers, but over time it expanded to include additional categories of people including students, trainees, family members, and retirees. With the establishment of European citizenship in the Maastricht Treaty in 1992, all EU citizens now have the right to work and reside throughout the territory of the European Union, subject to certain conditions. In spite of the fact that free movement has to some degree become a part of the everyday life of Europeans, the implementation of this principle has not been without controversy. In fact, free movement sometimes contributes to the sense there is a “migration crisis” in Europe. When, and for whom, is free movement perceived as a crisis, and why? This dissertation develops a theory of migration crisis, arguing migration crisis is a narrative mechanism used by political actors to define certain migration flows as a challenge to the nation-state. This is part of a dynamic process through which governing elites and civil society groups compete over dominant migration policy narratives and narratives of national identity. In the process, debates over free movement morph from narrowly-defined migration policy debates to debates over fundamental ideas such as national identity, sovereignty, and the legitimacy of the European Union. Surprisingly, given the number of references to a migration crisis in contemporary European public discourse, a theorization of migration crisis is largely absent from Comparative Politics scholarship. Examining the cases of the free movement of EU migrants in the UK, Roma in France, and more broadly, asylum seekers in the EU, the argument moves beyond comparative statics and ideal-types at the national level, as well as

paradigmatic ideas that drive consensus at the regional level. Based on qualitative document analysis and 26 interviews with migration policy stakeholders in the European Union conducted from 2012 to 2014, this dissertation traces the dynamic and contingent process by which ideas are invoked through mutually constitutive narratives of migration crisis and national identity.

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TABLE OF CONTENTS

Abstract.....	ii
Acknowledgements.....	iv
List of Figures.....	vii
Chapter 1: Introduction.....	1
Chapter 2: The Narrative of Benefits Tourism and the Ratcheting Up of Free Movement Debates in the UK.....	38
Chapter 3: L’Affaire Leonarda: Narratives of National Identity and Migration Policies in Tension in France.....	70
Chapter 4: More Europe? Less Europe? No More Europe? Narrating Diagnoses and Solutions to Europe’s Migration Crisis.....	108
Chapter 5: Conclusion.....	134
References.....	150

LIST OF FIGURES

Figure 1.1. News Coverage from 1999 - 2015 on Crisis of Free Movement.....	6
Figure 2.1 Unfavorable Opinion of Enlargement to Bulgaria and Romania, UK vs. EU average, 1990s.....	44
Figure 2.2. UK News Coverage of “Benefit Tourism,” 1997-2015.....	45
Figure 2.3. Growth in Nigel Farage’s visibility re: EU migration.....	55
Figure 2.4 Ukip leaflet distributed in Greater London, 2013.....	57
Figure 3.1 Friction between policies and ideas in "L’Affaire Leonarda"	75
Figure 3.2. French News Coverage of Roma and EU by year, 1999 – 2015.....	87
Figure 3.3. Reported demonstrations and school blockades, October 18, 2013 through November 5, 2013.....	99
Figure 4.1 Policy debate in focus: narrative of solidarity and the quota mechanism.....	113
Figure 4.2. European Parliament Election Results, 2014.....	116
Figure 4.3. Comparison of 2014 to 2015 Arrivals to Greece by Month. International Organization for Migration (2016).....	119

CHAPTER 1: INTRODUCTION

I. Free Movers or Migrants?

In the region of Nord-Pas-de-Calais in Northern France, a high-speed train called the Eurostar enters a tunnel traveling under the English Channel towards the United Kingdom. Over 10 million people travel on the Eurostar each year, including a subset of young European professionals sociologist Adrian Favell (2004) calls “eurostars,” traveling to London, “the unquestioned symbolic capital of Europe.” On any given train you might also find students hailing from France or Germany or elsewhere in the EU enrolled in full or part-time study in the UK, as over 125,000 students were in 2014-15. These cross-border movements are now part of business as usual in the EU. The original, limited intention of free movement in the European Economic Community was to facilitate the movement of industrial workers between France, Germany, Italy, Belgium, the Netherlands, and Luxembourg in the post-WWII rebuilding period. The reasons for intra-EU migration have greatly expanded to include study abroad, internships, and work training placements, and personal reasons such as romantic and family relationships and retirement (Recchi et al 2006). Travel between countries was made easier by the completion of the Channel Tunnel, the establishment of several high-speed train routes connecting major European cities, and the rise of discount airlines, which have all reduced costs and travel times from one EU member state to another. In short, EU migration has become more heterogeneous and relatively commonplace: ten percent of EU citizens report having worked in another EU member state at some point in their lives (Schmid-Drüner 2016).¹ Intra-EU migration is also increasing. According to a report commissioned by the European Commission, in 2011, 12.6

¹ By way of comparison, roughly 31% of the U.S. population have moved across state boundaries (Molloy, Smith and Wozniak 2013).

million EU citizens resided in a member state other than the one of their citizenship, a 24% increase from 2007 (EY 2014). There are several indicators which suggest free movement is alive and well in the EU.

Along the Eurostar route, however, a passenger on the train might look out the window and see that free movement between European countries is not accessible to all. Over 1,500 people of the Roma ethnicity live in camps in the vicinity of Lille, France, one of the main Eurostar hubs. Despite the fact that many Roma are European citizens, France has continually evicted the camps in the name of public order and returned Roma to Romania, even as it has faced the rebuke of the European Commission. Across the English Channel, free movement for workers from Romania and Bulgaria and the prospect of them settling en masse in the UK became the catalyst for the referendum that resulted in Brexit. From the early 1990s until its evacuation and destruction in 2016, thousands of asylum-seekers gathered in a makeshift camp in Calais, France, just miles from the Channel tunnel, unable to get to their preferred destination, the UK. Elsewhere in Europe, the circulation of asylum-seekers fleeing the Syrian conflict in 2015 and 2016 triggered a number of European countries to reintroduce border controls, prompting policymakers and media commentators to wonder if the “end of Schengen” would mean the end of the European Union. On the one hand, free movement has become routinized; on the other, free movement and the tensions that arise when it is practiced contribute to the sense there is a “migration crisis” in the EU.

This dissertation investigates the question: when are policy questions about free movement perceived as a crisis, and why? I argue free movement is perceived as a crisis due to debates over narratives. The narrative mechanism of “migration crisis” triggers contestation not only over policy, but over what and who constitutes the nation. In the case of

free movement, debates about migration policy and the mobility of EU nationals intersect with issues of national identity and sovereignty. Thus, during times of crisis, certain migration flows are identified and narrated as a challenge to the nation-state. This process of contestation involves a wide range of political actors, from policymakers and governments to parties in opposition, to civil society organizations and grassroots actors.

What constitutes “free movement,” and how has this principle evolved? The European Union is a fertile ground for studying free movement since the free movement of people between member states is one of its central principles, along with freedom of goods, services, and capital. While the free movement of goods essentially launched the European integration project in form of the European Coal and Steel Community in 1958, the pursuant rights and obligations to ensure the free movement of people were left mostly unaddressed until the concept of European citizenship was enshrined in the Maastricht Treaty in 1992. Even then, free movement was addressed in a piecemeal fashion until 2004, with the original focus on facilitating worker mobility rather than on delineating the attendant rights of free movers. One of the earliest examples of free movement was the movement of qualified industrial workers between the original six countries of the European Economic Community. Yet, as the number of people moving between EU member states for different reasons grew, the number of questions about what free movement means continued to multiply: when relatives of EU passport holders are moving for reasons of family reunification, for example, or to claim asylum, what then are member states’ obligations? Should welfare benefits be transportable? Which rights for European citizens taking advantage of free movement are host countries required to uphold, and under what circumstances would member states be allowed to decide to derogate? When are the holders of European passports “citizens,” vs.

“migrants?” When is the movement of Europeans considered “migration” vs. “mobility,” with the different legal, social, and political distinctions that those terms imply (Geddes and Boswell 2011)?

While politics has shown that the line between free movement and immigration is contested, scholarship has focused more on the distinction between the two. Geddes and Boswell (2011) have argued for a clear distinction between the two types of movement. Indeed, as opposed to policies governing “migration,” freedom of movement or mobility for EU nationals has a distinct legal framework that accords EU citizens the right to move and reside freely within the EU, with “minor constraints.” They note that “nationals of EU states now accept by and large that... nationals from other countries... have the right to live and work in their country,” a fact reflecting a “reshaped discourse on immigration in European countries” (2011: 179). Adrian Favell (2014) writes that “free movement within Europe is not immigration,” noting that the rights of EU nationals to reside and look for work in other countries have become part of “everyday life” in Europe. However, recent events and changes in the political discourse have highlighted the degree to which the equal treatment of EU citizens resident in another member state is conditional and subject to challenge in political discourse and in policy. Britain exiting the EU over the issue of free movement may be the most extreme example, but debates are now occurring even in the most pro-Europe member states over the conditions of free movement and over which restrictions member states can place on mobile EU citizens. As Maas (2013) notes, where overlapping jurisdictions exist in large and complex systems, the potential for states creating impediments to free movement is high. When, and for which groups of migrants, do states consider imposing these impediments?

The dilemmas of free movement highlighted above show that in contemporary Europe, free movement seems to be a “problem” at particular moments for particular groups, while not others. This tension suggests that free movement policymaking is more than a struggle over problem definition in a circumscribed policy conflict, it is also a struggle over values and ideas about what constitutes national identity and, by extension, national “interests.” Migration can be perceived as a “crisis” for the values and identity of polity. This perception of crisis can shift the terms of political discourse and the ideas undergirding policy. In short, narratives of crisis turn EU free movers from rights-bearing citizens to “migrants.” This is not only a domestic process, but occurs at the European level as well. As EU member states debate different rights and obligations of EU “migrants” and EU “citizens” they have to navigate between national identity and European solidarity. This raises questions about the identity of the nation-state and the purposes and legitimacy of the European project. Intrinsic to these debates is a growing sense of crisis implicating the principle of free movement and, by extension, the legitimacy of the European Union itself, as demonstrated in figure 1.1 below. The ambiguities revealed in debates over free movement, from questions of benefits for EU migrants in the UK, to questions of Roma migration, integration and public order in France, and more broadly, notions of burden-sharing and solidarity with respect to asylum seekers in the EU, represent a growing threat to the stability of the polity.

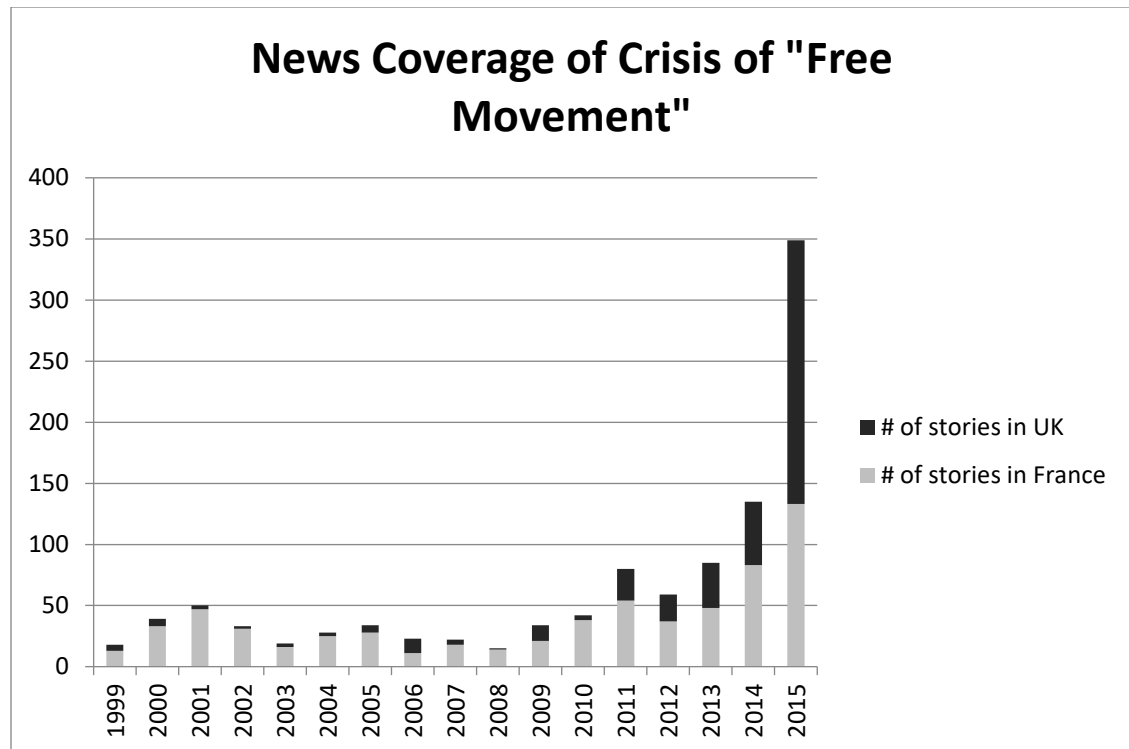


Figure 3.1. News Coverage from 1999 - 2015 on Crisis of Free Movement. Search terms: "UE" AND "crise" AND "libre circulation" for France; "EU" AND "crisis" AND "free movement" for UK. Sources: Le Monde, Le Figaro, Le Parisien (France); The Guardian, The Telegraph, The Daily Mail (UK)

There are three overlapping narratives of “migration crisis” in the EU. First, as figure 1.1 indicates, the 2015 “migration crisis” represented a unique challenge for the EU in terms of scale, as over 800,000 asylum seekers entered the EU in a single year, the majority of which entered in the last half of the year. This crisis, variously described as a refugee crisis, humanitarian crisis, migration crisis, and crisis of “political will,” is in some sense unlike other crises that we have seen before. However, the narrative of this crisis also overlaps with two other crisis narratives: first, smaller (in terms of scale) “migration crises” which have revealed flaws in the EU migration policy regime since the early 2000s. These include, but are not limited to: 1) the perceived problems of Roma migration; 2) the humanitarian and policy problems posed by the gathering of hundreds of migrants in Calais; 3) increased flows of migrants trying to get to Europe via the Mediterranean Sea route following the Arab

Spring and the more recent conflict in Syria, precipitating several tragic incidents in which boats have capsized in the Mediterranean leading to the death of over a thousand migrants in the year 2015 alone. What these incidents have in common is that they have been narrated as events requiring urgent policy action, both at the domestic and EU level. Second, the 2015 “migration crisis” overlaps with a broader sense of what EU Commission President Jean-Claude Juncker termed an “existential crisis” in Europe, in which EU member states have seemingly lost their willingness to invest in further cooperation at the European level, stalling the Union’s ability to respond beyond a piecemeal fashion to challenges in economic and migration policy. Since the 2008 financial crisis, there is a palpable sense of concern that national governments have turned their back on cooperation at the EU level. As Juncker put it, “never before have I seen such little common ground between our Member States. So few areas where they agree to work together” (Juncker 2016).

Investigating why free movement, once largely considered an unassailable principle, has come under question requires accounting for the dynamics underlying these three senses of migration crisis. First, both domestic and intra-EU politics contribute to the ways in which policymakers choose to interpret certain migration flows as crises. This dissertation examines three different recent migration crises where domestic and EU politics interact: the case of the free movement of Romanians and Bulgarians in the UK, centered around the expiration of controls on free movement which occurred in 2014; the case of the Roma migration to France, which precipitated a series of crises from 2010 through 2013; and the case of “secondary movement” of asylum seekers between EU member states, considered a problem by EU policymakers since the 1990s, but reaching crisis proportions in 2015.

As will be discussed in greater detail in Chapter 4, the fact that hundreds of thousands of asylum seekers entered Greece in the latter half of 2015 was viewed as a crisis in different ways by different states. For some states, in particular, in Central and Eastern Europe, domestic political concerns led them to interpret this event as a potential destabilizing threat to the Christian culture of Europe. For others, the massive flow of asylum seekers represented a potential security threat, or an opportunity for EU member states to finally work on implementing schemes for the re-allocation of asylum seekers, which had been proposed as early as 2011. Using crisis narratives as an analytical lens, free movement becomes a matter of concern when it is viewed as contributing to various crises. Free movement has been implicated in domestic events narrated as crises of social cohesion and public order, as in the case of the Roma in France, which will be discussed in Chapter 3. Free movement is also implicated in EU-level crises in which the actions, or lack thereof, of member states are seen as causing problems for other states by facilitating or encouraging unwanted migration flows.

Turning toward “migration crisis” helps explain why the movement of certain groups is considered problematic at certain moments. The implication of this argument is that crisis events are not self-evident; they are interpreted and narrated, as scholars of political economy have argued (Blyth 2002, Hay 1999, Carstensen and Schmidt 2016). Policymakers, media, and public discourse often refer to a “European migration crisis” or even a “global migration crisis,” and it is left unexplained as to what exactly they think the crisis refers to: a humanitarian crisis? A crisis of institutions? A crisis of solidarity between European member states? Or a mix of all these elements? That there may be multiple potential definitions of a particular event labeled a “migration crisis” works in the favor of political actors trying to

heighten the sense of urgency about the need to act, by rallying a greater number of people to their cause. Actors invoke different definitions of migration crises to point out disagreement with and perceived failures of current policies, and to galvanize support for their preferred policy solutions and narratives of the nation.

Viewed from one angle, debating details of free movement can be seen as representative of the ordinary policy process or “normal policymaking” (Hall 1993, discussed further below). Many scholars of the policy process have pointed towards “problem definition” as a contested process due to the multi-dimensional nature of policies (Baumgartner and Mahoney 2008). Contests over “policy narratives,” which define policy problems and offer solutions, animate debates over policy, and pose claims over rival values and interests (Boswell, Geddes and Scholten 2011). As such, that the question of free movement of the nationals of European Union member states could be viewed as either “migration” or “mobility” is perhaps no surprise, if EU migrants are viewed in terms of the economic benefits or harms they might bring. Indeed, the framing of migrants as “wanted” or “unwanted” based on economic reasoning has come to dominate policymakers’ discourse in many developed countries (May 2016). Yet, focusing on whether migrant groups are economically beneficial or a burden to the welfare state does not fully explain the politicization of particular migrant groups at particular times. Why, for example, would EU migrants be the focus of politicization in the UK, when more foreign nationals of immigrant backgrounds enter into the UK than EU citizens, and foreign nationals are more likely to claim benefits?² Focusing on economic discourses alone, or even simply “knowledge claims

² The situation varies by EU host country, but in the majority of states intra-EU immigrants are still outnumbered by foreign national immigrants. Proportionally, however, the percentage of EU nationals as a share of non-British nationals immigrating to the UK has increased since EU enlargement in

about the causes, dynamics, and impacts of migration” (Boswell, Geddes and Scholten 2011) as distinct from the politics of national identity misses something crucial about the dynamics of the politicization of migration.

Crisis narratives are used by both policymakers and grassroots challengers to justify a need for policy intervention. These narratives are in turn nested in a broader process of contestation of national identity narratives. Consider any recent public debate over migration, and you will likely think of some policymaker’s pronouncements about x or y migrant group and their compatibility with the nation, whether that be with national values, culture, or economic goals. Narrating migration policies in these terms is the stuff of everyday political debates. Yet, on occasion those debates go beyond thinking about how a particular migrant group may fit in with a national model to questioning the content of national identity and perceived national interests. Crisis is intrinsic to this ratcheting up effect by which migration policy debates move from circumscribed policy conflict to more fundamental debates. As scholars of political economy have noted, actors mobilize perceptions of crisis in order to make the case that a decisive intervention should be made to alter current policy and institutional arrangements (Hay 1999; Blyth 2002). Naming a “crisis” heightens the urgency that “something must be done” and suggests that the solution will represent a reconstitution of ideas about what values and interests compose national identity.

Surprisingly, given the number of references to a “migration crisis” in contemporary public discourse, there is a relative dearth of scholarship analyzing the concept of crisis in the

2004. EU nationals as a percentage of non-British nationals: 2004 (first EU expansion to Central and Eastern Europe) – 26%, 2007 (EU expansion to Bulgaria and Romania) – 39%, 2014 (expiration of controls on Bulgarians and Romanians) – 48% (Vargas-Silva and Markaki 2016). Thus, in terms of numbers this population has grown, but why did political discourse focus particularly on the issue of benefits? I take up this question in Chapter 2.

migration literature (but see Hollifield 1992 and Weiner 1995). In the following section, I review the literatures on crisis in political economy, and review migration literature pertaining to immigration in Europe to explain the relative lack of analysis of crisis. Next, I will place my argument at the juncture of these two literatures.

II. Ideas, Crisis, and Policy Reconsidered

In this section I review literature that focuses on the role of ideas in policymaking. I will focus on two policy areas: political economy and migration. Scholars in both subject areas have made important contributions to advance understandings of how ideas function in policymaking, but only the political economy literature explicitly focuses on crisis. The political economy literature has two main strengths: first, it has a strong focus on crisis and specifies the role of contestation over ideas in ideational change. Its weaknesses lie in the general orientation toward elites and technocrats, although a few scholars have sought to remedy this. There is no comprehensive account which focuses on events or episodes in relationship to migration policy, but the strength of migration scholars lies in the connecting policy to ideational politics concerning national ideas. While many approaches to scholarship of migration in Europe have focused on the stability and coherence of ideas, some scholars have demonstrated the flexibility and ambiguity of national ideas. These lessons can be incorporated into a theorization of crisis specific to migration.

Political Economy and the Role of Crisis

A significant number of scholars of political economy have focused on explaining responses to economic crises such as the Great Depression, the 1970s global financial crisis, and the more recent post-2008 recession and Eurozone crisis. One of the most well-known

and cited studies of the role of ideas in policymaking is Peter Hall's (1993) conceptualization of policy change and economic crisis in the UK. Hall posited that "normal policymaking" consisted of debates about the instruments and settings to achieve a particular set of policy goals. Third-order change, or more fundamental "paradigm shifts," occurred when policymakers questioned the fundamental ideas or interpretive framework governing a policy area. In Hall's case of the UK economy, the period of 1970 to late 1980s marked a transition from the post-war Keynesian paradigm to monetarism. Though the word "crisis" does not appear in Hall's 1993 article, but he does refer to third-order change as "a more disjunctive process associated with periodic discontinuities in policy" (1993: 279).

This periodization of a relatively stable paradigm governing a policy area, interrupted during moments of third-order change when competing factions attempt to establish a new paradigm, created a model subsequently taken up in the political economy and policy studies literature. Stable paradigms end when crisis events trigger a shift in the discourses framing a policy and, more broadly, the institutions in which policies are made and enacted. In turn, this shift in ideas about policies and institutions can change policy outcomes and result in a new institutional settlement (Matthijs 2011). This is a central finding of literature on crisis and political economy: the search for new paradigms, or "widely shared ways of thinking about policy challenges that lead to broad consensus" guiding economic and social policy is precipitated by crisis or the accumulation of policy failures (Béland and Cox 2016; Blyth 2010).

Blyth (2002) contributed the insight that while crises certainly provide the context for debate over policy issues, the perception of events as crises are themselves the product of a politics of ideas: political actors contribute to the framing of certain policy options as

inappropriate for current circumstances or unsustainable given some predictions about the future. Although he made this point in the context of studying economic crisis, it translates well to the concept of a “migration crisis.” A crisis is a mechanism within a broader contest over narratives; the crisis focuses attention on current or future negative impacts potentially wrought by the movement of a certain migrant group.

Scholars who study the policy changes and new institutions that emerged to respond to financial and sovereign debt crises in the European Union have also turned to ideas as an explanatory factor. Some scholars have emphasized how a single ideology, ordoliberalism, drove policy responses, while others have explored how the financial crisis was experienced and interpreted differently across national contexts mattered in terms of policies pursued at the national level (Matthijs 2011; Carstensen 2013). In terms of European-level identities, the narrative of Northern European states as virtuous “saints” as compared to Southern European “sinners” effectively foreclosed the idea of Eurobonds as a policy option (Matthijs and McNamara 2015). Schmidt (2014) demonstrates that the Euro crisis is both a financial one and a political one, as nationally-based “rival narratives” of the crisis unfolded, with the French stressing *gouvernement économique* as a solution and the Germans pushing deeper economic integration as a story of federalism. Jabko (2011), on the other hand, argues that the concept of *gouvernement économique* became the discursive foundation for stronger economic governance post-crisis despite Germany’s initial reservations about the French idea. In all of these accounts, the financial crisis is an event with which policymakers must contend, both in terms of institutional reforms and in terms of narratives that help diagnose and explain the crisis, thereby lending legitimacy to proposed reforms. These authors also highlight the fact that a crisis is not a coherent, self-evident event, but needs to be narrated

and explained amongst policymakers themselves. The authors above have empirically demonstrated the ways in which competing narratives of crisis impacted the resulting post-crisis policies and institutions.

One major shortcoming of the political economy approaches described here for examining migration crisis is that despite using an actor-centered approach, they tend to place emphasis on technocratic and elite-led change. Schmidt and Carstensen (2015) also include ideational change from “below” in their explanation of ideational power, positing that a persuasive argument must resonate with the broader public in addition to policymaking elites. They also argue “power through ideas,” or the capacity of actors to persuade other actors to adopt their views “of what to think and do” can be wielded “from below.” Policymakers engage in contestation over ideas with “opinion makers,” organized interests, the public, the media, and community leaders and activists (Schmidt and Carstensen 2015). Broadening the set of actors who engage in contestation over ideas to be more inclusive of non-experts and those without formal political power is an important contribution of the recent literature on policy and ideas. In particular, a focus beyond elites can help us theorize why actors without formal political power are often prominent in highlighting migration crises.

The absence of crisis in migration literature

As mentioned above, the concept of policy paradigm is a framework that guided many scholars studying political economy. However, Hall’s work had a broader impact on those interested in ideas and policymaking writ broad. Like scholarly accounts of economic crisis that have focused too much on periods of stability, scholars working on European migration, whether focused on national ideas or regional consensus, also tend to emphasize

the ideational coherence and relative stability of the ideas that undergird migration policy. As Lieberman (2002) notes, “ideational accounts of political change typically chronicle shifts from one ideational equilibrium to the other.” I argue that scholars who focus on the role of national ideas in migration policy have been subject to the same shortcoming. A focus on the stability of ideas guiding migration policy leads scholars of European migration to neglect the role of crisis in framing particular groups of migrants as problematic. By prioritizing stability, migration scholars also risk being less attuned to the ways narratives of crisis are actually a regular feature of political life.

In the two scholarly approaches to explaining European migration policies that I outline, national models and regional consensus, both tend to overestimate the stability and coherence of ideas. Further, these scholarly approaches tend to focus on a single migration policy area such as integration or security, when in actuality the friction *between* migration policy issues often generates narratives of crisis (ex. Border control and asylum in the European Union, which will be discussed in Chapter 4). In turn, they miss a process that animates many political debates over migration and can have far-reaching impact on shifting national identity narratives.

Scholars of “national models” focused on the particular national institutions and ideas that undergird migration policies. Certain scholars such as Brubaker (1992), Favell (1998), and Bleich (2003) have examined the ways in which national ideas have impacted the trajectory of citizenship, integration, and race relations policies, respectively. Yet these “national model” scholars have been criticized for overemphasizing the relatively static and unchanging conception of national identity which frames policymaking-- for example, Brubaker famously distinguished between a French “civic” and a German “ethnic”

conception of nationhood that durably shaped citizenship policy for the twentieth century, and Bleich demonstrated how different conceptions of race shaped policymaking for combatting discrimination in France and the UK. Both of these authors posit the impact of ideas (“self-understandings” for Brubaker, and “frames” for Bleich) impacting policymaking. Critiques of the national model literature are well-known (Joppke 2007; Vink 2007), due to the fact that empirical evidence suggests that citizenship, nationality acquisition, integration policy, and anti-discrimination policy have to some degree converged despite national differences. However, some authors have also argued that a continued focus on the legacy of national models matters as nationally-specific ideas and traditions have had an impact on integration, immigrant claims-making, citizenship policies, and the form and extent of conflict between immigrants and their host societies (Koopmans et al. 2005; Howard 2009, Dancygier 2010).

Scholars who stress regional consensus, on the other hand, look to similarities that emerge across EU member states in spite of their distinct national self-understandings. A range of scholars assert that states have converged on restrictive interests to tighten controls on migrants and asylum seekers entering Europe. For one set of scholars, the development of EU-level policies is driven by national political elites with common interests in restriction (Vollmer 2014; Guiraudon 2000; Schain 2009); for another, interested in processes of securitization, transnational networks of elites, both in government and in police and intelligence organizations, have driven policy cooperation (Bigo 2016); for yet another group of scholars, national political elites have converged due to common interests in using liberal ideas for restrictive purposes—for example, by increasing the burden on migrants to prove

their “willingness to integrate” (Joppke 2007). Each of these bodies of literature will be explored in turn.

Beginning in the 1990s, many scholars turned to the question of why Western European states’ migration control policies were converging on the reduction of the overall number of migrants and asylum seekers. Despite these states’ different historical backgrounds and institutional evolutions with respect to migration, scholars pointed toward a general trend toward regional convergence, with EU countries preferring restrictive immigration control policies following the economic crisis of the 1970s, after a general trend welcoming immigrants in the post-World War II era (Cornelius, Martin and Hollifield 1994; Vollmer 2014). At the EU level, scholars also focused on intergovernmental cooperation on measures such as increased focus on external border enforcement as simply enhancing the member states’ ability to control the borders and restrict migration and allowing states to bypass courts and national-level migrant advocacy organizations who aimed to extend rights for migrants (Schain 2009; Guiraudon 2000). This literature does not distinguish between different migrant groups, however, as it emphasized the restrictive preferences of governing elites for migration in general and did not focus on why some groups would be more desirable than others. As such, it is not of much utility in explaining why the movement of certain groups but not others would become the subject of restriction.

The securitization literature goes further to explain how different migrants groups are identified as threats and the techniques and processes by which political actors reinforce this characterization, leading to specific policy changes such as the enhancement of surveillance and border control. This literature accounts more for events and periodization, focusing on impact of terrorist attacks from 9/11 onward on immigration and asylum policy. These

scholars argue the attacks led to a renewed focus on border controls; an emphasis on the nexus of internal and external security; and the discursive construction of migrants and asylum-seekers as threats along with the concomitant development of policy practices aimed at responding to those “threats” (Chebel d’Appollonia and Reich 2008, Huysmans 2006, Bigo 2002). While the “securitization” literature, particularly Huysmans (2006), Bigo (2002), and Lahav (2003) has developed a more complex model of politics in which a focus on securitization leads to the adoption of particular discourses and policy practices, it largely remains grounded in an opposition between restrictive practices and liberal ones. For example, Lahav writes “Western democracies are increasingly caught between their global market and rights-based norms on one side, and political and security pressures to effectively control their borders, on the other” (2003: 90). Because they are focused on a paradigmatic security logic, these approaches tend to focus on border and surveillance practices, and thus are only of partial utility in explaining the politicization of free movement. Though debates over free movement certainly overlap with debates about border control, especially with respect to the secondary movement of asylum seekers, free movement debates often center on economic security and social cohesion.

A related strand of scholarly works focuses on the turn to illiberal ideas by liberal member states. Authors such as Bigo and Tsoukala (2008) and Huysmans (2006), who focus on the impact of securitization, have also argued that the practices of securitization represent a form of illiberalism, premised on the construction of exceptionalism needed to deal with “abnormal” social groups and a state of “unease” in the broader population. The policy outcomes of this turn towards illiberalism have been increased surveillance both at borders

and of the activities of citizens and non-citizens within borders, the expansion of powers for intelligence agencies, and the merging of police and military activities.

Illiberalism is also a prominent feature of scholarly works exploring convergence in integration policies. In diagnosing integration policies as “failures” or in “crisis,” politicians across Europe have ushered in policy changes creating increased requirements for migrants to demonstrate their “willingness” to integrate. This so-called “civic” turn focuses on the obligations of migrants to assimilate to the host country by demonstrating certain levels of language skills, cultural awareness, and even levels of monetary support. As Joppke (2007) notes, the EU’s integration principles have reflected the member states’ shift to these obligatory criteria. Joppke argues that states have turned to the language of liberalism rather than nationalism to justify their policy choices. The line between liberal and nationalist articulations of policies seems blurry, however, because these narratives are often combined. For example, “willingness to integrate,” a key narrative of liberal integration policies, has also become a criterion articulated in national terms: willingness to share “British” values, or, a willingness to respect the law in France, a “country of laws.” The turn toward civic integration shows the flexibility inherent in so-called “liberal” ideas to accommodate illiberal aims.

In sum, scholars of both political economy and migration in Europe have prioritized the role of ideas in shaping policy outcomes. Both bodies of literature have favored paradigmatic models where programmatic ideas such as Keynesianism or ordoliberalism ordered relationships between the state and the economy, and either nationally-based or regionally-shared ideas shaped states' preferences toward migration. Interestingly, a theorization of crisis is almost entirely absent from the migration literature, aside from the

notable exception of the impact of terror attacks on migration and border control policies. In order to develop a more comprehensive theory of the impact of perceived crises on migration policy, we can take build upon key lessons from the existing literature on political economy and migration, as explained in the following section.

III. Theorizing Migration Crises

Having outlined the respective shortcomings in the political economy and migration literature for explaining why the movement of some groups is considered problematic at certain moments, in this section I will develop a theory of migration crisis. As previously argued, I conceive of a migration crisis as a narrative mechanism by which actors reinterpret a particular migration episode as a challenge to existing institutions and national identity. In this section I further explain my theory.

Migration crises are not exogenously “given,” nor necessarily readily apparent.

They need to be narrated, diagnosed, and explained by policymakers and by civil society actors. Like economic crises, diagnosing the movement of a particular group as a crisis for the nation-state requires the work of political actors to create narratives. The movement of human beings across territorial boundaries is not always considered a crisis, but, can be narrated as such. Many so-called “migration crises” may have some connection to large scale flows of people, but it is not necessary that the numbers of a group be large or increasing in order for migration to be considered a crisis. The numbers of a particular migrant group may remain relatively stable, yet that group may suddenly be singled out as problematic. The case of a single family and the deportation of one child from that family can be narrated as representative of a migration crisis, as I will explore in Chapter 3. The case of Leonarda

Dibrani, a young girl deported from France, was seen by various actors as indicative of a crisis of integration, of the French asylum system, and of French values.

By suggesting that crises can be manufactured, I do not mean to minimize the social impact of demographic change and the pressures put on institutions by seemingly sudden large flows of people, nor do I want to gloss over the fact that large scale flows of migration can amount to a humanitarian crisis in which people's lives, health, and well-being are often endangered. I wish to highlight instead that there are different stories political actors tell to emphasize different aspects of what, in their view, is problematic about a particular migration flow.

Narratives of migration crisis are episodic. Much of the literature in both political economy and migration derives from a punctuated equilibrium model where relatively stable and coherent institutions and ideas are destabilized during times of crisis. By contrast, other scholars have utilized a model of gradual change to explain the ways in which institutions change incrementally (Mahoney and Thelen 2010). I want to suggest something different. Narratives of crisis revolve around episodes, or a socially and temporally bounded occurrence. An episode may focus on the movement of a particular group to a particular place, at a particular time. An episode may also center on a particular migrant story or image. These movements or events may occur frequently, but are not defined as significant “episodes” until they become part of a narrative. As Tilly (2001) notes, “episodes sometimes acquire social significance because participants or observers construct names, boundaries, and stories corresponding to them—this revolution, that emigration, and so on” (26). Attention to episodes helps us explain why certain episodes of migration suddenly galvanize the attention of public and policymakers, and demand an intervention.

Understanding migration crisis as a narrative mechanism also aligns with sociologists such as Brubaker (1994) and Sewell (2005) who call for “eventful” analysis of social phenomena. The concept “eventful” for Sewell signals attention to the “power of events in history,” noticing the ways in which events constitute processes of social transformation that are “inherently contingent, discontinuous and open-ended” (100-102). Unlike Brubaker’s work on citizenship and nationhood in France and Germany, in his second book, *Nationalism Reframed* (1994), he makes an explicit case for attention to events. As Brubaker notes, contingent events can have transformative consequences. The importance of events has also been taken up in Political Science scholarship on nationalist mobilization (Beissinger 2002), and social movements (Tarrow 2005; Della Porta 2008), but there is no comprehensive account which focuses on events or episodes in relationship to migration policy. The identification and narration of episodes as migration crises can have powerful impacts on policy and institutions.

Narratives of migration crisis draw from a set of “national ideas”—and vice versa.

As discussed above, migration scholars have convincingly demonstrated the ways in which nationally-specific self-understandings have had lasting impact on policies such as integration and citizenship. Instead of focusing on one paradigmatic idea driving policy developments, however, I argue that political actors utilize a toolbox of “national ideas.” This is a set of ideas from which actors draw to compose narratives of national identity and undergird institutional arrangements that govern migration. This approach remedies the tendency of migration scholars to reify national models as composed of static frames. Though national identities may become reified, nations are in fact composed of different elements (practices and ideas) subject to combination and re-combination (Somers 1994).

For example, in Hopf's (2002) work tracing Russian identity in 1955 and 1999, Russian national identity was composed of various ideas including class, modernity, and nation. A national identity can have multiple components and iterations, and governing elites and oppositions, as well as civil society organizations and mass publics, may have different ideas about what constitutes national identity. Even if articulations of national identity at any given time draw from a relatively stable repertoire of ideas, the combination and re-combination of different ideas can have a drastic impact on the boundaries of the nation, and in turn, migration and mobility policies. Likewise, migration and mobility policies can have a constitutive effect on the identity of a nation (or, in the case of the European Union, a supranational polity-- discussed further in Chapter 4). This latter point has been effectively demonstrated by scholars of migration in the U.S., such as Zolberg (2008), who argued migration policy was constitutive of nation-building.

This approach also draws from scholars who have emphasized the role of ambiguous or "polysemic" nature of ideas in policymaking (Beland and Cox 2016; Jabko 2006), and stressed the friction between ideas as an opportunity for creative action (Lieberman 2002). National ideas are referred to reflexively by policymakers and governing elites most of the time, as they deploy ideas with meanings that are taken for granted (such as "public order" in France, or "community cohesion" in Britain). However, there is no reason to assume that the meaning of national ideas is coherent or stable. Further, narratives of crisis may focus actors' attention on friction between ideas, the failure of policies to match ideas, and/or the need for repackaging ideas to justify preferred policy responses.

Narratives of migration crisis are part of a multi-level process of contestation over national identity and perceived national interests, in which both elite and non-elite actors

participate. Different actors hold different interpretations of migration crises, and contestation over which interpretation should be adopted and acted upon animates politics and policymaking. As mentioned above, nation-state elites (political actors in both the government and opposition) and civil society actors engage in contestation over ideas about what and who constitutes the nation. Both political elites in government and opposition contribute to defining the national identity, as do challengers and critics from civil society, including non-governmental organizations. Contestation includes traditional policy debate, but can also include grassroots action. Crucially, as will be explored in Chapter 3, this process can be initiated from “below:” protest over a policy’s effect or implementation may be initiated by civil society organizations and grassroots actors, which in turn prompts a reflection on national identity. These actors are often responsible for re-combining ideas about national identity to emphasize alternative aspects that can include migrants in the national community.

In addition to prompting questions about national identity and belonging, the “crisis” events I discuss in this dissertation have an explicitly multi-level dimension. The “crisis” of free movement in the UK was not merely narrated as a national-level crisis of social cohesion in the UK, but of the UK’s relationship with the European Union. As I detail in Chapter 2, the expiration of controls on free movement for Bulgarians and Romanians did not only launch a reconsideration of the terms of free movement, but threw into relief the question of free movement itself, and the UK’s membership in the EU. Though the French case of protest and contestation over the French Roma removal policy examined in chapter 3 did not have the same dramatic outcome, the protest over Leonarda’s removal did also prompt

reflection on France's relationship to the EU, particularly with respect to the "problem" of failed asylum-seekers.

The large-scale movement of asylum seekers into and throughout the EU from 2014 to the present, examined in chapter 4, has explicitly been narrated as a crisis that challenges the status quo of European member states' relationship to the European Union. Member states have re-erected national borders and some have refused to cooperate in European-level schemes to address the crisis, such as a voluntary quota system for the relocation and resettlement of asylum seekers. This crisis raises the question of whether the flaws in EU institutions revealed by the movement of asylum seekers represents a momentary setback or a fundamental rejection of solidarity and retrenchment of nationalism that undermines European integration. This crisis is demonstrative of the ways in which the intersection of policy narratives and the politics of national identity unfolds on multiple scales.

IV. Research Design and Methodology

My research is driven by an interpretive methodology focused on what Schwartz-Shea and Yanow (2012) call "meaning-making and production of contextualized knowledge." My dissertation seeks to answer the question: when and why does free movement within the European Union become controversial? My dissertation research started from a puzzle: EU member states' vacillation with respect to migration control policy between promoting "more" European cooperation on the one hand, and calling for sovereignty and national discretion vis-à-vis the EU on the other. My methods for investigating this puzzle were driven by an abductive logic of inquiry, collecting "pertinent observations" while conducting interviews, engaging in document analysis, and participant

observation (Friedrichs and Kratochwil 2009; Schwartz-Shea and Yanow 2012).

Investigating this puzzle required addressing why certain forms of European cooperation on migration and asylum were seen as compatible with constructed national “interests,” derived from national identity.

I chose the countries of the UK and France to conduct my national-level case studies because of their different orientations to European integration; France had been one of the most staunchly pro-integration countries, and the UK on the other hand had the most pronounced Euroscepticism. The UK and France also had markedly different approaches to the treatment of diversity and to immigrant integration due to their “public philosophies,” according to the “national models” literatures. However, despite these differences, I saw some similarities in the way the two countries invoked participation in European-level cooperation while emphasizing their national “discretion” as the French called it. Especially following the French rejection of the European Constitution in 2005, it seemed an open question as to how divergent the two cases really were, and migration seemed to be a fruitful policy area for exploring this question. Both France and the UK were the site of highly politicized debates over free movement. In France, expulsion of the Roma, a policy which intensified in 2010, set off a period of contestation over the role of the EU in France’s migration policy, and domestic contestation over the restrictive nature of France’s migration policy. In the UK, policymaker debates over Bulgarian and Romanian migrants and benefits eligibility from 2013 on tipped the scales toward legitimating Brexit as an option. In both of these cases, debates over the role of the EU featured centrally. Thus, I also added a level of analysis by including an additional case focusing on EU policymaking in order to examine how the dynamic between narratives and policymaking played out across multiple scales.

I began fieldwork with a preliminary pre-dissertation research trip to Calais, France, and Brussels in 2010, and continued with research trips to Paris, Brussels, and London from 2012 – 2014. My stay in Paris from October 2013 through January 2014 was funded by the Chateaubriand Fellowship and I was a visiting doctoral researcher at the Institut National d'Etudes Demographiques (INED). While in the field, I conducted 26 in-depth interviews (in English and French) with current and former policymakers, government agencies, non-governmental migrant advocacy organizations, and think tanks. The questions I asked pertained to national interests in participating in or derogating from particular EU-level migration and asylum initiatives, and to how different political actors tried to reform EU-level policies and institutions to include more room for "national discretion."

During the course of my fieldwork between 2012 and 2014, it became clear that there was a sense of crisis in Europe that impacted migration policymaking at both the domestic and EU levels. The attempt at creating a European Constitution failed in 2005 with the rejection of the Constitution by the Dutch and the French, and was soon followed by a global financial crisis which enveloped Europe in 2008. Initially it seemed to me that this crisis operated somewhat distinctly from migration and asylum policymaking. On the one hand, my original puzzle was shaped by the highly politicized debate in 2011 around the governance of the Schengen agreement, which governs the space in which there are no internal borders between EU member states. In the wake of the Arab Spring, when French president Nicolas Sarkozy said that without fundamental reform to Schengen, Europe faced "implosion." In contrast to this threat of implosion, policymaking in the area of asylum and migration had continued at a steady pace. New revisions to the Schengen Borders Code and a new round of asylum legislation continuing progress toward a Common European Asylum System were in

progress as I started my fieldwork. In order to make sense of this dynamic, I posited that a dynamic of experimentation and compromise between member state heads of government and EU institutions drove EU policymaking. At the national level, I posited domestic politics often necessitated that governments engaged in “symbolic politics,” vis-à-vis EU-level policies. Symbolic politics, as defined by Brysk (1995), works through “narrative structuring, interpretive resonance, and projection of affective information” (561). Thus, leaders of member state governments, in the context of domestic politics, would represent EU policy in a certain light through the use of narrative. My impression was that crises erupted in response to particular migrant flows and/or political imperatives, but would fade.

My research thus aimed at making sense of two distinct logics: one of EU-level policymaking, and one of national-level narrative dynamics underpinning “symbolic politics.” In my original research design, I sought to analyze EU policymaking through the process of debate and policy adoption by focusing on three distinct policy areas: asylum, immigration, and external borders (based on a delineation of “policy venues” in Kaunert and Leonard 2012). My interview questions and research were initially conducted to assess the national debates around and interests in EU policy developments in these areas. My questions aimed at assessing the policy stakeholders’ impression of what national interests were in promoting or discouraging cooperation at the EU level, and how these interests impacted policymaking, and in turn were reflected in domestic symbolic politics. The evidence I sought to gather from interviews, as well as through the analysis of documents such as white papers, debates, and meeting agendas, and through an analysis of public discourse, would demonstrate how member states constructed their policymaking preferences and how they

represented these preferences to the public. I wanted to distinguish between policymaking and symbolic politics, or the depiction of policies to the public.

The vast majority of my interviews were conducted in person but three were conducted by phone due to scheduling or travel constraints. I derived a list of potential interviewees from analyzing media reports and government documents to identify policy stakeholders, and also gained additional interview contacts through the recommendation of interviewees and academic contacts. A list of interviews with dates and organizations is available in the appendix. Where requested, I protected the anonymity of interviewees and their organization. I also conducted archival research at the European Commission Library in Brussels, the Mediatheque Abdelmalek Sayad, the Bibliotheque de l'INED, and Le centre de documentation France-Europe-monde in Paris and the British Library in London reviewing secondary text sources concerned with migration and asylum policymaking and narratives of national identity, including policy documents from government committees and policy papers from non-governmental policy stakeholders. I also engaged in participant observation in a number of settings: in Calais, I attended a meal distribution for asylum seekers with Salaam, a migrant rights NGO; in Paris, I attended an NGO forum on housing and accommodations for asylum-seekers; in Brussels, I attended the release of an in-depth NGO report on the implementation of the Dublin Regulation, and attended a conference hosted by a number of INGOs and the Greens-EFA European Parliamentary Group which brought together UN Special Rapporteur on the Human Rights of Migrants and the EU Commissioner for Home Affairs.

My initial findings indicated a significant place for the role of “crisis” in migration policymaking. Sometimes policy stakeholders talked of migration explicitly in terms of

crisis; sometimes they referred to particular events or locales such as Lampedusa (the name of an Italian island which has become a shorthand in reference to several highly-publicized tragedies in which migrant boats capsized) or Calais (the aforementioned site of illegal camps of migrants and asylum seekers in France). These locales and the events they represented, for many of my interviewees, heightened the urgency for policy change—regardless of whether their preferences were for tightening restrictions on immigration, or for increasing protection for asylum seekers. Further, these perceived crisis events often catalyzed new policy initiatives, blurring the distinction between a policymaking logic and symbolic politics of discourse, and between the EU policymaking process and domestic politics.

As I conducted my fieldwork I discovered the need to revise my original concepts in several ways. First, my research showed that the distinct policy “venues” of asylum, immigration, and external borders were in fact simultaneously implicated in debates over free movement. I needed to better account for the entangled nature of the policies. For example, in Calais, France several hundred asylum-seekers gathered waiting to get to the UK. Many of the migrants were asylum seekers, but some were rejected asylum seekers unable to be returned, and some freely admitted that their rationale for migration was driven by the pursuit of a better life and employment—reasons that would not typically be considered valid for the purposes of an asylum application. In addition to the personal motivations of migrants crossing the boundaries of immigration and asylum policy, their legal situations might also straddle the boundaries of different policy venues. Irregular migrants or failed asylum seekers who were unable to be removed due to the unsafe status of their home country presented different problems when viewed from the perspective of asylum policy vs. that of

immigration control. For example, policymakers need to ensure the ability of even failed asylum seekers to have legal recourse to challenge decisions on their case, and to protect them from being returned to unsafe countries (the international legal principle of *non-refoulement*). These policies governing asylum procedures, in addition to existing policies governing the conditions in which asylum seekers should be welcomed and housed, factored into policymakers' discussions alongside their desire to swiftly process and remove irregular migrants. In their discourse, politicians also implicated multiple policy areas in assessing the "problem." Both French and British officials blamed the EU policy of "free movement" for facilitating the migrants' journey to Calais, as they had often crossed through other EU member states before arriving in France. In practice, the policy venues of asylum, immigration, and border control are far from distinct.

Secondly, I wanted to account for migrants and migration flows themselves impacting *when* particular policies become considered a problem by policymakers and in public discourse. Referring to figure 1.1, the most obvious peak in attention to a migration crisis occurred in 2015 when large numbers of asylum seekers entered the EU (discussed in Chapter 4), however, other migration flows had previously impacted increases in debates over free movement, such as the Arab Spring in 2011. More generally, the broader environment of uncertainty following the post-2008 financial crisis also seemed to amplify the sense of crisis in relation to EU migration policy; as figure 1.1 shows, the heightened attention to a crisis of free movement which picked up in 2011 never settled back to pre-2008 levels. How this perception of a general "crisis" at the EU level impacted policymaking debates; and how specific "migration crises" amplified this sense of general crisis, was

essential to understanding how policymakers deliberated with each other at both the domestic and EU levels, and especially to how they represented their preferences to the public.

In a related vein, I also wanted to account for the sense in which particular “events” impacted debates over free movement. As I engaged in “sense-making” while in the field, the controls on free movement for Bulgarians and Romanians were set to expire in January 2014.³ I had been traveling back and forth between Brussels, Paris, and London for fieldwork and was puzzled to see that this event generated much anxiety and action, ramping up in 2013 in the UK. The contrast with 2004 was notable since the UK had declined to extend such controls on migrants from the first Central and Eastern Europe (CEE) enlargement in 2004. By contrast, in France in 2004, there was great anxiety over the so-called “Polish plumber” problem of migrants from CEE allegedly coming to take the jobs of native French, but the question of expiring controls on Romanians and Bulgarians did not generate the same level of public concern. This was all the more puzzling since France had in 2010 and 2012 invited the rebuke of the European Commission for expelling Roma, many of whom were EU citizens, to Romania. Further, successive governments in France had doubled down on the assertion that the Roma were unwilling to integrate. Why the free movement of Romanians and Bulgarians (oversimplified in many media and policymakers’ accounts as “Roma”) generated the proposal for the UK to leave the EU, while generating a less extreme response from France, but one still couched in the language of national sovereignty, struck me as an interesting puzzle and a way of focusing my original question from broadly

³ By EU law, member states can impose temporary controls for up to 7 years restricting freedom of movement for workers from new EU member states. Bulgaria and Romania joined the EU in 2007.

conceived “migration control” policy to that of free movement and the shifting narrative between “migration” and “mobility.”

At approximately the same time, on October 9, 2013, a Roma teenager was deported from France while in the midst of a school trip. Thousands of French, led by students and civil society actors, protested in the streets of Paris. Having just arrived in France again after spending the summer in Brussels, I was able to attend the protest at Place de la Nation in Paris. Again, this event struck me as puzzling: why, out of the thousands of Roma who had been deported, would the case of this particular student provoke such mobilization, and why would the President choose to intervene in her case, but not others?

These two “events,” the expiration of controls on free movement for Bulgarians and Romanians occurring on January 1, 2014, and the expulsion of Leonarda and subsequent protests in October and November 2013, became the comparative basis at the heart of my project. The processes of data generation and analysis were ongoing and intertwined. As I conducted deskwork to analyze my field notes and expanded my analysis of news sources after I concluded my fieldwork, I became attuned to the “eventful” quality of my analysis.

After returning from the field, I conducted an extensive review of French and British news sources and official public discourse (speeches, published government reports and parliamentary proceedings), to generate additional data to complement my field notes and further analyze my working concepts of narratives of national identity and policy narratives. I used 1999 as a starting point. During the 1999 European Council meeting in Tampere, Finland, the existing fifteen EU member states including the UK and France decided to prioritize the development of common policies in Justice and Home Affairs, including moving toward a “common EU asylum and migration policy.” The European Commission

also took its first steps to propose common standards in asylum procedures. Further, in 2000, the EU formally launched accession negotiations with Romania, Bulgaria, and four other member states. Thus, by analyzing media and public discourse from 1999 onwards I could get a sense of how support for further policy development at the EU level in the domain of migration and asylum, and support for enlargement, shifted over time. Whenever possible, I used a variety of media sources from across the political spectrum, including *The Daily Mail*, *The Telegraph*, BBC and *The Guardian*, in the UK, and *Le Figaro*, *Le Monde*, *Le Nouvelle Observateur*, and France 24 in France. This process continued from the conclusion of my fieldwork (February 2014) through the immediate aftermath of the Brexit referendum in summer 2016.

V. Chapter organization

Each chapter examines the ways in which a perceived crisis opens up contestation over policy narratives and national identity. In Chapter 2 I explore the UK, where the free movement of Bulgarian and Romanian migrants touched off a broader debate, which intensified in 2013, about the value of free movement and the pros and cons of EU migration as a whole. I focus on David Cameron's adoption of a narrative of "benefits tourism," which labeled EU migrants as abusers of the welfare system, and how this policy narrative was nested in broader debates about British interests and identity. I argue the narrow focus of the "benefits tourism" narrative had the unintended consequence of reinforcing a competing narrative which emphasized the potential negative consequences of migration and suggested Brexit was the only policy solution. The British chapter is a prime example of domestic politics igniting debate over free movement and the perception of crisis.

Chapter 3 addresses the French case, I focus on the interplay between governing elites and civil society and its impact on narratives of the “crisis” of Roma migration. Successive French governments, under both Nicolas Sarkozy and Francois Hollande, stated Roma migration was a threat to public order and that the Roma “unwillingness to integrate” would necessitate policies of deportation and removal. The question of whether Sarkozy’s government specifically targeted the Roma in 2010 led to debates over the “abuse” of free movement and the role of the EU in French migration policy. Three years later, the deportation of a Roma teenager, Leonarda Dibrani, whose family’s application for asylum was rejected, reignited many of the same questions but also included debates over the French asylum system and the deportation of a student enrolled in school. Civil society actors, led by a network of migrant rights advocates and social service providers, used the case of the deportation of a Roma teenager, Leonarda Dibrani, to contest the state’s narrative. By focusing on Leonarda’s removal during a school trip and the national idea of *scolarité*, these civil society actors were able to create a compelling alternative narrative which suggested the teen should be protected. In this case, competition over policy narratives resulted in a partial policy change in which French law was updated to protect students from deportation while in school while the deportation of Leonarda’s family was upheld. The French case demonstrates the entanglement of different migration policy issues including integration, asylum, and migration control.

Chapter 4 examines the EU case and the current “crisis” of free movement precipitated by the movement of asylum seekers throughout the Schengen Area. Freedom of movement meant that asylum seekers could move from one country to the next, rather than being processed in their first country of entry as EU law (the Dublin Convention) stipulated.

This emergent contradiction engendered a crisis when hundreds of thousands of asylum seekers fleeing the conflict in Syria in 2014 and 2015 entered the EU. The “crisis” meant different things to different political actors: to some governing elites in countries with large incoming flows of migrants, the crisis was one of a lack of capacity, to others, it was a potential integration crisis and an impingement on national sovereignty. Different national understandings of sovereignty and solidarity informed the narratives policymakers used to explain the crisis and to gather support for their proposed solutions. I explain the emergence of different narratives of “solidarity” which actors have utilized to support or oppose the introduction of a permanent relocation mechanism to redistribute asylum seekers. These narratives are not only debating the settings of a policy instrument, but crystallizations of different understandings of national identity and sovereignty vis-à-vis the EU. In order to move forward, EU policymakers have to formulate policy responses that take these national concerns seriously.

Chapter 5, the concluding chapter, revisits the core questions of the dissertation and analyzes why free movement becomes controversial, or redefined from “mobility” to “migration,” at certain times for certain groups. I summarize the main findings of each chapter, but also draw these findings together to emphasize the ways in which events are framed as crises and repertoires of national identity are contested by policymakers and civil society organizations and the grassroots. Drawing on the analysis from Chapter 4, I also revisit why a multi-level analysis is necessary and incorporate an analysis of national identity vis-a-vis the European Union. To conclude, I discuss avenues for future research, including a multi-level politics of national identity and belonging, and reflect on whether the current “crisis” of free movement in Europe is indicative of fatal flaws in the European project.

VI. Conclusion

Theorizing the concept of “migration crisis” will improve on the existing comparative politics literature in several ways. First, by even a cursory examination of public discourse, the notion of “migration crisis” plays a significant role in European politics, but thus far has been almost entirely neglected in the literature. Thus I fill an important empirical gap in providing data on different ways the concept of migration crisis is used. Second, I contribute to a literature on the role of ideas and public policy by providing a theoretical model and empirical evidence that goes beyond a paradigmatic framework and punctuated equilibria models. My project is attentive to the dynamic and contingent process by which ideas are invoked through mutually constitutive narratives of migration crisis and national identity. Third, my project is specifically multi-level in analysis, adding an additional EU dimension to prior comparative country case studies which examine migration policy. Both conceptually and empirically, I build upon scholarship that suggests the need to move beyond comparative statics and national models. My research is broadly inspired by the interaction between policymaking processes and ideas. This interaction, demonstrated in contestation over policy narratives, impacts not only how political leaders respond to perceived crises, but how migrants are included or excluded in host societies. Thus, I engage not only with timely contemporary issues but with enduring questions of politics including identity and belonging.

CHAPTER 2: THE NARRATIVE OF BENEFITS TOURISM AND THE RATCHETING UP OF FREE MOVEMENT DEBATES IN THE UK

I. The Brexit Surprise

British voters dealt the world a shock by voting to leave the European Union in June 2016. EU migration and the free movement of EU nationals was one of the most important issues debated in advance of the Brexit vote. According to a Lord Ashcroft poll, Leave voters listed control over migration as their second-most important reason for voting behind “the principle that decisions about the UK should be taken in the UK”. As an EU member state, the UK was very limited on the restrictions it could place on the movement of EU nationals. Yet, this was not always considered to be a policy problem: for many years, migration policy debates focused on non-EU migrants and asylum seekers, and EU migrants were seen to be filling gaps in the labor market in sectors such as construction and social services. The UK was one of only three EU member states who did not put transitory controls on Central and Eastern European (CEE) nationals following the 2004 EU expansion. In 2010, David Cameron, leader of the Conservative opposition, advocated for further the expansion of the EU; enlargement was seen as a way to further liberalize the EU and increase market competition (The Economist 2010).

Explaining how by 2014 EU migrants came to be perceived as a policy problem, and how this problem became linked to the solution of Brexit, requires analyzing both the debates over policy narratives and the broader question of British identity vis-à-vis the EU. I argue the framing of the expiration of controls on Bulgarians and Romanians on January 1, 2014 as a migration crisis focused public attention and forced Cameron to respond his own narrative of “benefits tourism.” The narrative of benefits tourism posits that EU migrants are entering

the UK, as opposed to other EU countries, in significant numbers in order to take advantage of the generous welfare state, and that this represents a significant challenge to British society.

To explain Cameron's turnabout I trace the essential role of Ukip and its Euroskeptic allies to narrate the expiration of controls on the free movement of Bulgarians and Romanians as a crisis. This chapter highlights the role the narrative mechanism of "migration crisis" played in several ways. Drawing on "national ideas" such as community cohesion, Ukip and others presented EU migration from Bulgaria and Romania as threat to UK security and the solvency of the welfare state, particularly the NHS. Crucially, the Ukip/Euroskeptic counter-narrative also depicted the UK's membership in the EU as a failure due to the inability of the UK to restrict free movement. By extension, the counter-narrative argued that the lack of control over free movement was linked to a lack of control over broader migration flows. The issue of EU free movement provided the perfect narrative for Ukip to blend a hard Euroskepticism with immigration. Yet, it is unlikely Ukip would have succeeded with just combining those two issues without the episode of the impending expiration of controls on Bulgarian and Romanian migrants. That episode played a key role in galvanizing public attention to the issue and forcing Cameron to address the migration crisis.

By focusing on the question of abuse of benefits in particular, Cameron constructed a narrative which resonated with domestic policy changes to welfare and to the Conservative Party discourse of British values as valorizing hard work and fairness. Cameron tried to appeal to those who were suspicious of immigration and free movement on the one hand and simultaneously argue for its benefits on the other by focusing on the narrow question of those

who were abusing the welfare system. As it turned out, however, this policy narrative had the unintended consequences of legitimating broader and more virulent anti-immigration narratives advanced by Ukip and others; Cameron also failed to convince voters of his competence on the issue of migration control. The benefits tourism narrative thus played a crucial role in legitimating concerns about EU migrants. Though Cameron initially argued that benefits tourism could be addressed domestically, and with a "renegotiated relationship" with the EU over benefits, the migration crisis as narrated by Ukip and others acted as the catalyst to link benefits tourism narrative to a potential Brexit. Further, the narrative reinforced the perception that Cameron would be unable to control the negative effects of immigration while remaining in the EU, thereby inadvertently reinforcing the Leave campaign and the idea the only workable solution was Brexit.

The selection of the "benefits tourism" narrative to address the migration crisis is puzzling because EU migrants are less likely to take state benefits than other migrants than British nationals (Vargas-Silva and Markaki 2016). Thus, a purely economic logic cannot explain why EU migrants were targeted for restriction. To explain this narrative choice requires examining the historical emergence of the benefits tourism narrative and its connection to a repertoire of national ideas. Rather than guided by a fixed national model or a paradigmatic paradigm, Cameron engaged in a process of "assemblage," gathering different ideas into a single narrative (Carmel 2011). The utilization of the benefits tourism narrative was simultaneously a claim about the source of problematic migration, a way to articulate a particular conception of British interests vis-à-vis the EU, and a new assertion of British values which delineated British citizens and migrants who "work hard" from those who took part in a "culture of dependency" (Cameron 2012).

The ideational repertoire available to actors in both government and the opposition also implicated perceived national interests and identity vis-à-vis the EU. This chapter demonstrates how migration policy debates are particularly susceptible to ratcheting up, moving from debates over individual policies to broader debates about national values and interests, since they implicate the core powers and concerns of nation-states. The United Kingdom Independence Party (Ukip), and its leader, Nigel Farage, in particular, played a central role in framing the January 1, 2014 expiration on free movement controls for migrants from Bulgaria and Romania as a crisis for British social cohesion *and* sovereignty. Ukip and the tabloid media played a role in forcing Cameron to acknowledge the potential “crisis;” from there, Cameron made the strategic decision to legitimate Brexit as a potential policy solution, even though he publicly stated he would openly campaign to Remain. Once these steps were completed, the stage was set for the unintended consequence of Cameron losing control of the benefits tourism narrative, as it legitimated the Leave campaign’s arguments that EU migrants were a danger to British social cohesion and the welfare state and that Brexit was the only workable solution.

The chapter proceeds as follows. In the next section, I address the emergence of benefits tourism as a narrative. In the section three, I trace how the expiration of free movement controls on January 1, 2014 was framed as a migration crisis by Ukip and others. Section four explains how this episode was the catalyst that caused Cameron to link benefits tourism to the policy solution of Brexit. In section five I explain why Cameron’s choice of the benefits tourism narrative generated unintended consequences that garnered support for the Leave campaign. In conclusion, I examine some of the ways in which this case helps demonstrate my theorization of migration crisis.

II. The Emergence of Benefits Tourism as a Narrative

As political actors develop policy narratives, they are influenced by past political debates about related policy issues that drew on a repertoire of national ideas, and by broader debates about national interests and values. Three issues were crucial for impacting the trajectory of the “benefits tourism” narrative: perceived interests of the UK vis-à-vis the EU; broader debates about migration and asylum seekers and the perceived pros and cons of migration; and debates over national values and the welfare system.

This section will briefly trace these issues and their interconnections in order to explain the ideational and political background of the “benefits tourism” narrative. The narrative of “benefits tourism” and its application to EU migrants was thus contingent on the historical evolution of each of these debates and the role they played in British politics.

Perceived interests vis-à-vis the EU. Questions of British participation and role in the EU stretch back to the original founding of the European Economic Community. During negotiations over the Maastricht Treaty (1992), the Euroskeptic wing of the Conservative Party grew in prominence and strength. The Maastricht Treaty was crucial for the political development of the European Union, including its transition from a largely economically-based community to more of a political union. The lack of unity amongst the Conservatives on EU issues led to backbench revolts against Prime Minister Major, quelled only by the threat of resignation and dissolving the Parliament (Darnton 1994). Perhaps even more significantly, this issue heralded the rise of the United Kingdom Independence Party (Ukip), who formed around the issue of Britain’s relationship to the EU (originally, this did not pertain to migration, but to issues of sovereignty).

Despite questions over EU membership, the issue of EU enlargement to new member states, a process launched formally in 1997, was originally non-controversial. Under Major, the Conservative Party platform noted that “Britain has also persuaded our partners to welcome new countries who apply for Community membership” and included plans to “build on the EC's Association Agreements with Czechoslovakia, Hungary and Poland so that we can welcome them to full membership by the year 2000” (Conservative Party 1992). As Labour MP and former member of the European Parliament Joyce Quin noted in a parliamentary debate in 1996, support for enlargement “has tended to be common ground among hon. Members on both sides of the House” (HC Deb 12 Dec 1996 Col. 501). EU migration was not yet seen as a problem, since overall enlargement was seen as the fulfillment of a historical and normative obligation to former Soviet bloc states and as a positive due to the expansion of the common market. Even though EU membership itself was an issue of political debate amongst Conservatives and the newly formed United Kingdom Independence Party, the issue of enlargement simply was not very salient in public debate, as a 1999 European Parliament report pointed out (European Parliament 1999). According to Eurobarometer the UK also had a relatively high proportion of respondents (29%) who said they didn't have an opinion about enlargement in 1998 (Eurobarometer Report 1998). What public opinion polls are available suggest that UK support for enlargement was highest in the early 1990s and has risen and fallen over time, varying by country candidate. Throughout the 1990s, Eurobarometer surveys showed the idea of enlargement to Romania and Bulgaria had fewer detractors in the UK than the EU average (See Figure 2.1).

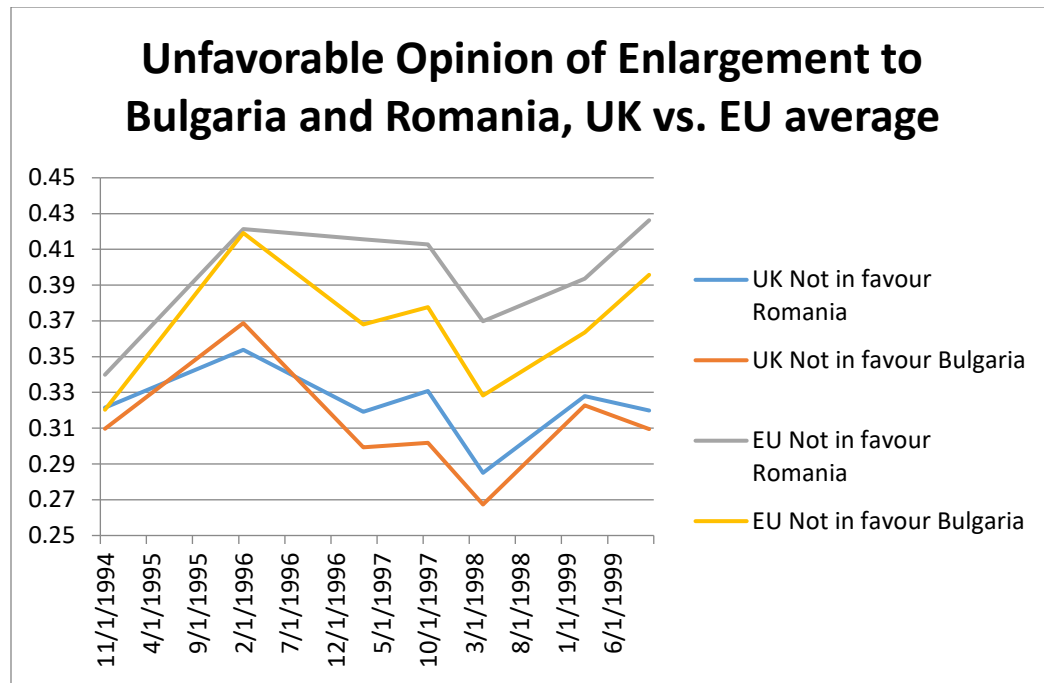


Figure 4.1 Unfavorable Opinion of Enlargement to Bulgaria and Romania, UK vs. EU average, 1990s. Source, Eurobarometer Interactive. Last accessed 2/17/17.

In the early 2000s, the leader of the Conservative opposition, Michael Howard, would play a key role in linking Euroskepticism to the idea of benefits tourism and uncontrolled EU migration, as he mounted a challenge to Tony Blair with respect to the EU Constitution and the implementation of the first enlargement. As figure 2.1 shows, 2004 marked the first significant increase in media attention to the phenomenon of “benefit tourism:” news coverage of “benefit tourism” increased by 680% over the previous year (from 5 stories to 39).

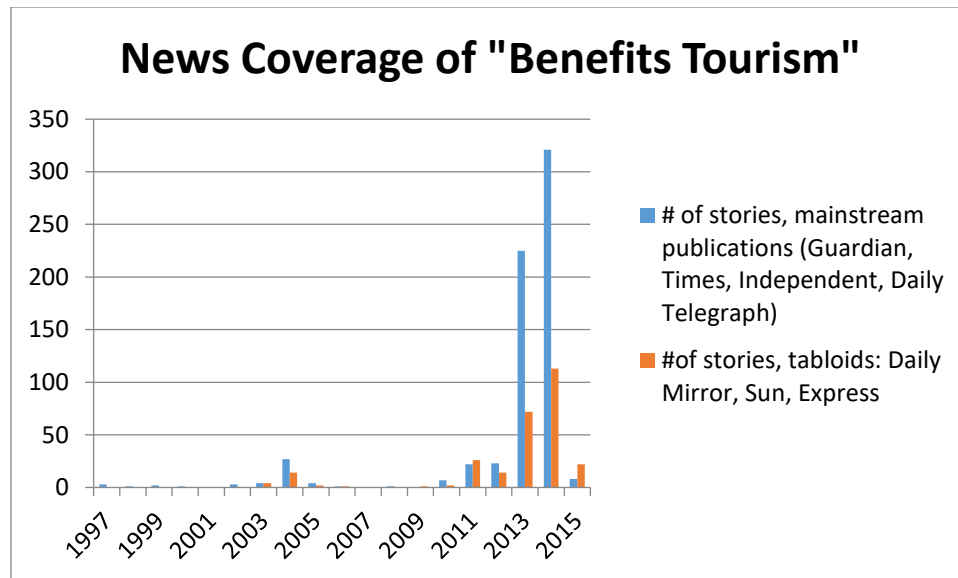


Figure 2.2. UK News Coverage of "Benefit Tourism," 1997-2015. Keywords: Benefit Tourism OR Benefits Tourism. Source: NewsBank Inc., Access World News database. Last accessed 2/17/17.

Howard pro-actively adopted a more critical stance of Blair's government and criticized them for making too many concessions to the EU as it prepared to welcome 10 new member states (the A8⁴ plus Cyprus and Malta) on May 1, 2004. Britain had planned to open its doors to workers from these new member states, without any transitional controls as other older EU member states had imposed. Howard took advantage of the opportunity to link this newfound Euroskepticism to his insistence that Blair's government should impose transitional controls on the new EU migrants who would be able to work and reside in the UK absent any restrictions. In a series of public standoffs in the House with Blair in January and February 2004, he asked why the government was not imposing any transitional controls on the new member states (Wintour and Black 2004). During that same time frame, EU member states Denmark, the Netherlands, and Sweden had all reversed course on initial

⁴ The A8 are Poland, Hungary, the Czech Republic, Slovakia, Estonia, Latvia, Lithuania, and Slovenia.

proposals to allow the new migrants full access to employment and benefits. Blair, publicly backed into a corner by Howard, called a “crisis meeting” of his cabinet and rolled out a new policy toward the end of February restricting the benefits available for migrants by imposing waiting periods on eligibility for and access to benefits (Brown 2004; BBC 23 February 2004). Still, despite the restriction in benefits, the UK was one of the only countries to not impose transitional controls on free movement (most countries had instituted a waiting period of seven years before A8 migrants could come to live and work).

Under Cameron, Euroskepticism both from within his own party and from Ukip would present a challenge to his electoral support and governing competence. Competing narratives that challenged Cameron’s approach to EU membership would focus on the loss of UK sovereignty to the EU and Cameron’s inability to control migration. As discussed below, the expiration of controls on free movement for Bulgarian and Romanian nationals became a perceived crisis which would challenge Cameron and bring the connection between EU membership and free movement for EU migrants to the forefront once again.

Broader debates about migration and asylum. Prior to Howard’s linkage of EU migrants and abuse of benefits, a broader debate of migrants and asylum-seekers abusing the UK’s immigration system and benefits had emerged. During the 1990s, the Conservative government led by John Major used both discourse and policy to link asylum and “illegal” immigration. In the mid-1990s, Michael Howard, who was Secretary of State for the Home Department under Conservative Prime Minister John Major, introduced an Asylum and Immigration Bill. Linking “‘bogus’ refugees and other illegal immigrants” as a threat to immigration control, Howard argued that “the present benefit rules are an open invitation to persons from abroad to make unfounded asylum claims” (HC Deb 20 November 1995 vol

267 cc335-48). The Secretary of State for Social Security Peter Lilley also reformed benefit regulations for asylum seekers, arguing over 90% of benefit were not going to “genuine” refugees (HC Deb 11 January 1996 vol 269 cc331).

When it came time to decide whether or not to introduce controls on Romania and Bulgaria, which were set to enter the EU in 2007, Labour decided in spite of what Home Secretary John Reid described as the “success” of 2004 in ensuring “people came to work and not claim benefits,” that it would adopt a strategy of “managed migration” and impose restrictions on employment except on those who were self-employed or working in food processing and agriculture (BBC 24 October 2006). Labour’s focus on “managed migration” was premised on the “potential economic and social contributions by immigrants to host societies” (Menz 2008). “Managed migration” was thus premised on an “oppositional logic” (Squire 2008) which was based on the state’s ability to identify potential contributors (either social or economic) and potential receivers, takers, and detractors who would harm the system. As the 2005 Labour platform argued,

Immigration has been good for Britain. We want to keep it that way. Our philosophy is simple: if you are ready to work hard and there is work for you to do, then you are welcome here. We need controls that work and a crackdown on abuse to ensure that we have a robust and fair immigration system fit for the 21st century that is in the interests of Britain (Labour 2005, p. 51).

Balch (2009) argues that that the decision by Labour to extend controls to Romania and Bulgaria conflicted with “expert opinion” provided to the government and that the managed migration frame was “displaced by political imperative” (617). Yet Reid, in a speech announcing the controls in 2006, precisely framed the decision in terms of managed migration, using the targeted economic sectors and the need to “assess” and “ameliorate” local pressures on social services, especially housing and English language training (BBC

2006). The Labour government's policy had shifted from treating EU migrants as an economic positive and a historical obligation to framing them as part of a larger set of problems with migration policy. A 2004 speech from Tony Blair confirmed this logic:

We are putting in place tighter rules to restrict migrants' access to benefits and social housing. Migrants will not be able to access social housing unless they are here legally and are working. No-one will be able to come to the UK from anywhere in the enlarged EU simply to claim benefits or housing. There will be no support for the economically inactive. And let me be clear: the same goes for migrants from elsewhere in the world.
(Blair 2004)

Under Cameron, “managed migration” would continue to be the preferred narrative of the Conservative Party platform as a focus on those migrants who would contribute to and enhance the UK.

Domestic welfare reform and national values. Another key piece of the benefits tourism narrative utilized by Cameron was the connection to domestic welfare reform. The emergence of the global financial crisis in 2008 put immigration issues on the backburner to a certain extent. Although immigration remained one of the top three concerns listed by voters, attention to the economy skyrocketed in 2008 and it remained the top issue throughout the first half of 2014 (even though immigration had nearly pulled even) (Blinder 2014). While the financial crisis provided an interruption to the high profile of migration debates in the government of Gordon Brown, David Cameron, as leader of the Conservative opposition, set to proposing welfare reform for UK citizens, complaining of a “culture of dependency” and perverse incentives discouraging people from work. Ironically, given the future policy outcome focusing on benefit tourism, in 2008 Cameron used Eastern European migrants to contrast with British citizens who had stopped looking for work, noting: “Eastern

Europeans coming to this country want to work hard for their families and we can't blame them for that. But what it does show is that there are jobs available” (Daily Mail 2008).

Welfare reform, not migration, remained central to the Conservatives’ platform for the 2010 election. Cameron pledged to cut migration to the “tens of thousands” and to impose transitional controls on all new EU migrants “as a matter of course;” other than these transitional controls, the Conservatives did not directly mention EU migration. To the contrary, the platform noted “the student visa system has become the biggest weakness in our border controls” (Conservative Party 2010, p. 21). Yet Cameron also pointed out that the UK wanted to continue to attract the “brightest and best who can make a real difference to our economic growth” (Conservative Party 2010, *ibid.*). Thus, Cameron’s target of reduction of migration still considered certain types of immigration to have a positive economic impact. Further, the platform called for pressing “to keep the EU’s doors open to those countries, including Turkey, that wish to join, conditional on the rigorous application of the accession criteria” (Conservative Party 2010, p. 110).

The financial crisis and austerity politics provided a context for Cameron to build a link between domestic welfare policy and migrants’ benefits. After winning the 2010 election, for the first time in more than thirty years the UK formed a coalition government with the Conservatives and the Liberal Democrats, and Cameron as Prime Minister. The coalition agreement noted it would seek to impose an “annual limit” on non-EU migration and kept the promise of a referendum for any further transfer of power to the EU.

The context of UK austerity politics was particularly relevant with respect to benefits (Cabinet Office 2010). In an emergency budget in June 2010 the government cut 6% of the welfare budget, with deep cuts intended to contribute to economic reform and recovery.

Chancellor George Osborne also noted that cutting welfare benefits was a way to “change the welfare system so it doesn’t trap people in poverty and a culture of dependency” (Osborne 2008). Reform of the benefits system for British citizens was a central piece of the Conservative’s 2010 platform. “Get Britain Working Again” was one of the central tenets of the platform, with reforms proposed to reduce the “tidal wave of worklessness” (Conservative Party 2010).

Fundamental reforms of British welfare were ushered in 2012 and 2013, with Osborne and Pensions and Work Secretary Iain Duncan Smith arguing that fundamental culture change was needed in order to remove the “perverse incentives” which discouraged people from work. In a 2013 speech, Osborne noted that the “striving classes” of people who “did the right thing” were punished whereas the “people who did the wrong thing” were rewarded (Wintour 2013). The “culture of dependency” and “something for nothing culture” frames linked domestic recipients of welfare benefits to migrants.

Welfare changes related to asylum and immigration are not new. As Andrew Geddes (2000) notes, new policies under Labour included “internal welfare-state related measures designed to separate asylum seekers on the grounds that they were suspicious and a prevailing sense that they were bogus applicants” (134). The rationale of fraudulent applicants coming to Britain to claim welfare benefits has catalyzed multiple policy changes, from fingerprinting and administrative separation of asylum-seekers from other benefits recipients to more recent changes limiting the benefits which EU migrants can receive.

Cameron directly linked welfare reform for citizens and migrants beginning in 2013, in a speech at the University Campus Suffolk. As the next section will explain, the expiration of controls on free movement for Bulgarians and Romanians beginning on January 1, 2014,

played a key role in Cameron's articulation. Noting that he wanted to build an "aspiration nation," Cameron addressed what he saw as the legitimate concerns of the public that migration caused pressure on public services, a "rapid pace of change in some of our communities, and of course, the concerns deeply held, that some people are able to come and take advantage of our generosity without making a proper contribution to our country" (Prime Minister's Office, 25 March 2013). Referencing the expiration of controls on free movement for Bulgarians and Romanians beginning on January 1st, Cameron then reiterated his campaign pledge that transitional controls on EU migration would be imposed as a matter of course, and introduced policy changes aimed at ensuring that EU migrants come to Britain for the "right reason," arguing that "ending the something for nothing culture is something that needs to apply in the immigration system and the welfare system" (Prime Minister's Office, 25 March 2013).

The proposed restrictions for EU migrants included increased waiting periods to apply for and obtain benefits, and an increased burden of proof for migrants to demonstrate adequate earnings and genuine employment (Prime Minister's Office, 25 March 2013). Institutionally, Cameron also worked to link various policy "silos" together by appointing a cross-ministry committee to see through changes on health care, housing, welfare and immigration. At the time, Cameron proposed negotiating with EU member states over responsibilities for paying benefits to "economically inactive migrants," but mentioned nothing about the principle of free movement or Brexit as such. The connection to a Brexit would come later. When linked with the framing of the impending expiration of controls on the movement of Bulgarians and Romanians as a crisis, welfare changes helped crystallize

Cameron's articulation of free movement as a fundamental to be renegotiated, discussed below.

III. Free Movement for Bulgarian and Romanian Migrants as an Episode of "Migration Crisis"

While the 2004 enlargement and its aftermath provided the context for Michael Howard to link the policy narrative of benefit tourism to E.U. migrants, and the financial crisis provided Cameron an opportunity to link domestic welfare form and migration, it was the impending expiration on controls of free movement of migrants from Bulgaria and Romania that was a focal point which galvanized public attention and emphasized the negative consequences of EU migration on society. By framing EU migration as a crisis, Ukip and other actors mounted a challenge to Cameron's governing competence on both the migration policy issue and on broader questions of EU membership. Ukip and the media both played a key role in amplifying the perceived negative consequences of increased migration from Bulgaria and Romania, but Conservative and Labour politicians did as well, connecting the Roma to crime and ethnic tensions in the UK.

The association of immigrants with crime in both policy and the media created an environment in which the policy narrative of benefits tourism resonated. The media, by focusing on selected stories of "bogus" refugees and crime rings of immigrants perpetrating sham marriages, cashpoint fraud, and fraudulent benefit claims, underscored the notion that the political system was being abused. In particular several cases of Romanian or "gypsy" immigrants committing benefits fraud and trafficking children for the purposes of benefits fraud drew prominent headlines from 2010 to 2012. The newspaper *The Daily Express* also

more directly joined the fray in 2013 by launching a petition, online and in print, to extend the transitory controls on Bulgaria and Romania after January 1, 2014, which was signed by 150,000 people and delivered to the Prime Minister (*The Express*, November 2013).

The conflation of migrants from Bulgaria and Romania with the Roma also intensified the media and politicians' portrayals of these new EU migrants as associated with criminality. In particular, politicians on the right picked up on the Roma as a "problem" and suggested that the Bulgarian and Romanian migrants coming to the UK would seek benefits and housing. Ukip MEP Paul Nuttall, for example, made a visit to a Roma camp in Bulgaria and noted in the European Parliament in 2013 that "many will be headed to the UK" after the expiration of transitory controls in 2014 and that this amounted to the EU allowing "child prostitution... and Dickensian pickpocket gangs" in the UK. A study conducted by the Barrow Cadbury Trust in advance of the European Parliament election noted Ukip's strategy of deploying the interlocking frames of mistrust of EU power as anti-democratic and the threat to an idealized version of Britain as traditional and safe (*Counterpoint* 2014).

The threat of Bulgarians and Romanians to British safety was also invoked by non-Ukip actors, both on the part of Conservatives and Labour politicians, including former Labour Home Secretary David Blunkett, Member of Parliament from Sheffield. Prior to the 2004 enlargement as Home Secretary, Blunkett had argued that "EU enlargement is extremely welcome to, and important for, our country. It is something to be celebrated. All parties in this House are in favour of enlargement" (HC Deb 23 February 2004 vol 418 cc23-36). Though the potential for abuse of benefits existed, Blunkett argued in 2004,

Our position has always been clear—that the UK would benefit from all new EU citizens working legally, paying taxes and national insurance... The accession of new countries into the European Union opens up new opportunities for trade and labour market flexibility. That is why all EU countries and all political parties in the House

welcomed expansion. That is why I am confirming today our decision to allow workers from the accession states access to our labour market, subject to certain sensible conditions (ibid).

By 2013, however, Blunkett's tone toward EU migration had significantly shifted. In November 2013, Blunkett, commenting on the Roma population in the Sheffield area, argued that the Roma's "antisocial behavior" was causing tensions within the community and that these tensions mirrored the environment which preceded the British "ethnic riots" in 2001, in which violence broke out several cities between minority (usually of Asian descent) groups and white citizens, many of whom were members of or aligned with the cause of far-right groups such as the British National Party and the National Front. Blunkett said the gulf between the Roma community and Britons was greater than the one between Britons and Asian migrants, and that the Roma must be persuaded "not to spend all their time in the street" and "discouraged from throwing rubbish and living in over-crowded houses" (Telegraph 11.11.2013).

While Blunkett called on improved integration policies as the solution, Ukip's leader Nigel Farage seized upon the opportunity to connect Blunkett's comments to the impending expiration of the temporary controls on Bulgarian and Romanian migrants. Farage, a frequent commentator in the UK media, had linked the lack of border controls within the EU as a

cause of a rising number of immigrants in the UK (see Figure 2.2).

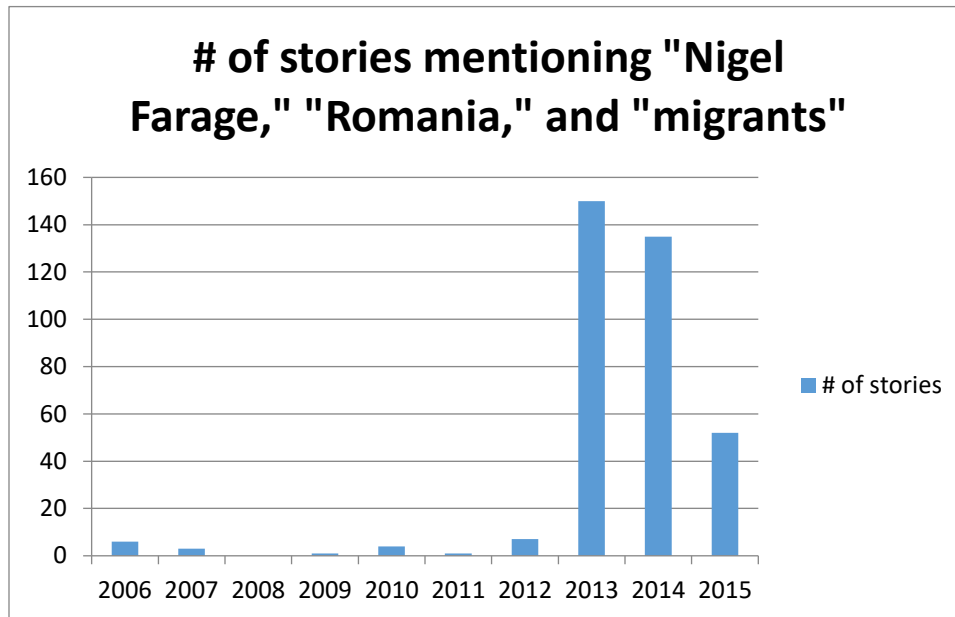


Figure 2.3. Growth in Nigel Farage's visibility re: EU migration. Sources: The Daily Mirror, The Daily Telegraph, The Express, The Guardian, The Independent, The Sun, The Times. Source: NewsWorldInc., Access World News database. Last accessed February 17, 2017.

Ukip's central issue from its inception had been the British exit from the EU. By 2015 the Ukip party manifesto listed immigration first amongst "the major issues of the day," and "immigration" garnered 400% more mentions in 2015 than in its first platform in 1997 (36 vs. 6) (Ukip 1997; Ukip 2015). As Dennison and Goodwin (2015) argue, this shift reflected Ukip's decision to consciously merge Euroskepticism, a low salience issue, with immigration, a high salience issue. In a 2013 study conducted by the think tank British Future, Nigel Farage was ranked second behind Cameron in a list where respondents identified politicians they had heard talking about the changes vis-a-vis Romanian and Bulgarian migration. 43% said they heard Cameron speak on the issue, while 22% identified Farage—the only other politician to garner more than 20% (British Future 2013). This was one indicator of Farage moving from a fringe position to a more prominent position in UK political debates.

The expiration of labor market controls on migrants from Bulgaria and Romania provided Farage with an event that became the focal point of this “fusion strategy” (Dennison and Goodwin 2015). An Ukip pamphlet, for example, suggested 29 million migrants from Bulgaria and Romania would be “let in” to the EU, a gross miscalculation since that number is higher than the population of those two countries combined (BBC 21 April 2013). The pamphlet, distributed in greater London, stated that Romanian and Bulgarian migration would mean fewer jobs for British residents, longer waits in hospitals and clinics, lower wages, less money available for benefits, and indefinite waits for public housing. (See Figure 2.4).

On 1 Jan 2014, the EU's 'Single Market' rules will give all citizens of Romania and Bulgaria the right to live, work and draw benefits in the UK.

Many of these will be fine, hard-working people who just want to do the best for their families. But can we cope with another influx of people needing jobs, housing, schools, hospitals and benefits?

How will this affect you?

- **If you're young** - fewer jobs available
- **If you're sick** - pressure on our hospitals and clinics
- **If you're old** - longer queues for care
- **If you're in work** - wages going down, not up
- **If you're on benefits** - less money to go round
- **If you're on a housing list** - you may have to wait forever

The only way we can stop this is by telling the EU - and our failed old parties - to get lost.

The Labour Government deliberately opened the doors to mass immigration, and the Tories, LibDems and EU are keeping them open.

The Government say there's nothing they can do about this situation while we're a member of the EU. Miliband says he won't do anything at all, and he doesn't care what you think about it.

What can you do? Join UKIP.

The only mainstream party committed to getting the EU out of Britain

PHONE US NOW ON
0800 587 6 587
CALLS FREE FROM UK LANDLINES
or visit ukip.org/2014

UK Independence Party

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Broadstairs, Kent CT10 2LF. Tel: (01843) 866314.

Figure 2.4 Ukip leaflet distributed in Greater London, 2013. Ukip 2013a, source: electionleaflets.org. Last accessed February 17, 2017.

In addition to the scaremongering tactics represented by drastically overstating the amount of migrants who might come to the UK, Farage grew more strident in linking EU migrants with

criminality. A Ukip pamphlet distributed in Preston, near Manchester, in December 2013 cited the fact that one million of the four million foreigners who had immigrated to the UK since 1997 was from Eastern Europe, and said “this unlimited immigration means massive new pressure on the police: one in seven prison inmates is foreign” (UKIP 2013b). Farage also noted in 2013 that London was under threat from a “Romanian crime wave” and that an “immigrant crime wave” would proceed from the expiration of transitory controls on migrants from Romania and Bulgaria (Morris 2013).

In several of my interviews conducted in late 2013 and early 2014 in London, interviewees expressed a need to reshape the debate which Ukip had effectively politicized; by staking out such an extreme position, Ukip was often dismissed as being prejudiced, but voters (and some MPs) had concerns about the social and local impact of migration they wished to discuss while still condemning Ukip’s extreme messaging. In an interview with a staff member from the All Party Parliamentary Group on migration, my source stressed that despite an extremely negative discourse surrounding Romanian and Bulgarian migration emanating from Ukip and in the media, there was significant interest from both Conservative and Labour MPs on gathering evidence on the social impact of potential migration and preventing the exploitation of Romanians and Bulgarians in the UK workforce (APPG interview 1/31/14). Similarly, an interview at the think tank British Future suggested that away from the polemical debates in government and media, there was broad public interest in addressing the practical concerns that additional migration from Bulgaria and Romania might impact local public services, jobs, and wages (British Future interview 1/31/14).

As described above, under pressure with the impending expiration of controls on Bulgarian and Romanian migrants, in March 2013 Cameron made several policy changes which would take effect on January 1st 2014 with regard to proposed changes to the eligibility for benefits. A few months later, in December 2013, Cameron's Home Secretary Theresa May proposed the extension of controls on Bulgarians and Romanians, which would require a change to E.U. law, which stated controls had a seven-year limit. May argued that "growing concern over the abuse of free movement" required readdressing the rules. A leaked Home Office document said EU migration had "damaged the job prospects of low-skilled Britons, encouraged benefit tourism, put pressure on public services and caused the 'build-up of social tensions'" (Guardian 16 December 2013).

The political discourse around the expiration of controls on Bulgarians and Romanians was no longer the province of a fringe party but had entered the mainstream, with politicians from nearly every party emphasizing the social and economic costs the British population would bear due to EU migration. Even Labour politicians began to use similar arguments. For example, Shadow Business Secretary Chuka Umunna posed the following argument on talk radio:

We were very clear, and we raised this issue with the home secretary over eight months ago, that you have to have proper transitional controls in place. So what will happen in respect of people coming in from Bulgaria, Romania, wanting to claim out-of-work benefits, housing benefit, jobseeker's allowance, for example? ...To the extent that people do come in and they can show that they can work and bring economic activity, here are appropriate measures being implemented to stop them undercutting British workers...? (Guardian 16 December 2013)

Within the Conservative party, an eleventh-hour movement by backbench MPs to attach an amendment to the government's immigration bill in order to extend the transitional controls

on Bulgarians and Romanians for an additional five years attracted 70 signatories. However, the bill was delayed and the controls did expire on January 1st. Less than a year later, Cameron would tie EU migration to a potential Brexit.

This section has shown how politicians, especially Ukip, framed the expiration of controls on free movement of Bulgarians and Romanians as a looming crisis which would negatively impact British society in terms of community relations, crime, and employment opportunities. Many conflated Bulgaria and Romania with the Roma ethnicity and utilized concerns about the Roma culture to raise questions about whether the UK could absorb more EU migration. It was this event, or rather, the work done by politicians to focus attention on anticipation of negative consequences to British society due to this event, that led to the government moving beyond policies which restricted benefits and moving toward questioning free movement in general. When politicians from multiple parties questioned the benefits of free movement and sought to make changes at the EU level, the issue of EU migration had become one not only of migration policy, but of a broader conflict over the UK's EU membership.

IV. Linking Free Movement Reform and Brexit

While the prior sections have discussed how the issue of EU migration became a policy problem through the linkage of the narrative of “benefits tourism” to welfare reform, Euroskepticism, and the negative consequences for British society of the “crisis” of Bulgarian and Romanian migrants, this section will explain how Cameron responded to the challenge to his governing competence by adopting the policy solution of a *potential* Brexit. As mentioned above, the 2010 Conservative platform had not taken a strong position on EU

migration, other than to mention that controls on free movement on new EU migrants within the already existing EU framework would be imposed as a matter of course. As late as 2012, a parliamentary debate revealed that the Cameron government's position was to still work on addressing the issue of benefits tourism within the existing EU framework. As the Secretary of State for Work and Pensions, Iain Duncan Smith stated in September 2012, "I agree that we want to ensure that the door is open to those who want to come and work here and benefit the UK. That is part of the agreements in the European Union" (HC Hansard 10 Sept 2012, vol. 550).

By 2013, however, the government's tone began to shift from insisting on dealing with benefits tourism within the EU to acknowledging a possible Brexit. Cameron, in 2013, had already pledged an in-out referendum on the UK after negotiations with the EU over a "new settlement," calling for the referendum to occur in 2017. Throughout 2013 and 2014 Cameron began to link the referendum explicitly to EU migration. Near the end of 2014, the press and the opposition had skewered Cameron over reports that total migration had increased, despite his campaign pledge to cut migration. The 2015 Conservative Party platform acknowledged that while immigration from outside the EU had decreased since 2010,

We have seen many more people from the EU coming to Britain than originally anticipated, principally because our economy has been growing so much more rapidly and creating more jobs than other EU countries. As a result, our action has not been enough to cut annual net migration to the tens of thousands. That ambition remains the right one. (Conservative Party 2015, p. 29)

The platform argued that to "regain control of EU migration" reform of welfare rules, tackling criminality, and ending abuse of free movement, would be needed (Conservative Party 2015, *ibid.*). In November 2014, as a roll out for his platform for the 2015 elections, Cameron gave a speech promising further reforms to benefits available to EU migrants

including a four-year wait on in-work benefits and access to social housing and a potential ban on EU migrants from new countries until their economies had “converged more closely” with the EU. (Morris 2014). His November 2014 speech linked changes to freedom of movement within the EU to the in-out referendum, saying that cuts to EU migration and welfare reform were “an absolute requirement” (Ritchie 2014). Some of these changes would likely require alteration of EU treaties which necessitate the consent of all of the member states.

The narrative of benefits tourism grounded Cameron’s proposed policy changes; he noted the generosity of the UK’s welfare system, particularly for jobless migrants, was acting as a pull factor when compared to other EU member states like France and Germany. He tied welfare reforms to new exclusions for EU migrants, proposing that EU migrants would not be eligible for the new Universal Credit which allocated welfare benefits. He also called for “tougher and longer entry bans for all who abuse free movement, including beggars, rough sleepers, fraudsters and people who collude in sham marriages,” invoking many of the frames Ukip politicians and others had used to link criminality to Romanians and Bulgarians (BBC 2014).

Linking these changes to his proposed renegotiation of Britain’s membership to the EU, Cameron stated that “changes to welfare to cut EU migration” would be an “absolute requirement” in the renegotiation (ibid). Further, he argued that the rules of free movement should be reconsidered, stating, “free movement has never been an unqualified right,” and that new arrangements were needed to “restore a sense of fairness” and to cut EU migration levels. In reference to the 2017 referendum, Cameron made his support for campaigning for the UK to stay in the EU conditional on obtaining reforms to free movement. Implying that

the failure to obtain these reforms would lead to a Brexit, Cameron stated “If our concerns fall on deaf ears and we cannot put our relationship with the EU on a better footing, then of course I rule nothing out” (ibid.)

Cameron’s speech drew attention from the media, and from the European Union—both from the Union institutions itself, and other member states. Though other EU countries including Germany were allies with the UK in terms of tightening benefits for EU migrants, Angela Merkel warned the principle of free movement was at the core of the EU and was not up for debate (Mason and Oltermann 2014). However, in March 2015, a German MP from the Christian Social Union Party visited the UK and highlighted commonalities between the two countries on immigration, especially concerning the “increasing problem of welfare abuse by migrants” (Euractiv 13 March 2015). Meanwhile, the Secretary of State for European Affairs of Poland, a country with a growing influence in the EU, wondered whether Cameron’s proposed changes would be discriminatory towards EU citizens (BBC 2 December 2014).

With Cameron’s re-election in May 2015, several EU countries warned that free movement was a “red line,” not to be negotiated (Financial Times, 11 May 2015), and France warned Cameron that it would not consider treaty changes. Many both inside and outside the government, however, acknowledged that Cameron had a mandate to act. European Commission president Jean-Claude Juncker stated, “stand ready to work with you to strike a fair deal for the United Kingdom in the EU” (ibid).

V. The unintended consequences of the benefits tourism narrative

Following Cameron's re-election in May 2015, it seemed as if his attempt to address the "migration crisis" through the narrative of benefits tourism was, at least temporarily, successful and Cameron now had a clear agenda around which to renegotiate the UK's relationship with the EU. The success or failure of the renegotiations would depend on Cameron's ability to convince Euroskeptics within his party and without that he had gained concessions from Brussels and that he would be able to control the problem of benefits tourism and its potential negative consequences for British society. The results of the renegotiation became an object for political debate themselves, with even disagreement from the Remain camp about how consequential Cameron's achieved reforms would be. On the other hand, the Leave campaign, piggybacking on the "benefits tourism" narrative, developed a strong narrative which asserted that Cameron had lost control of migration and that the welfare benefits of UK citizens would continue to come under attack by EU migrants. The Leave campaign argued that the only way to solve these problems was to vote in favor of Brexit. Unintentionally, Cameron's policy narrative came to be of service to the policy solution he opposed.

The Leave campaign was composed of several semi-autonomous organizations with different messages, but Farage figured as one of its key figures. He drew on many of the narrative elements he had argued for with the expiration of controls for Bulgarians and Romanians, once again emphasizing the dangers of immigration for security and safety. Farage appeared to conflate flows of non-EU migrants and asylum seekers to EU migration, unveiling a poster with a long line of asylum-seekers and migrants (mostly non-white young men) which read: "Breaking Point: The EU has failed us all. We must break free of the EU

and take back control of our borders.” On New Year’s Eve 2016, migrants and asylum-seekers, many with Muslim backgrounds, were implicated in a number of attacks and sexual assaults in Cologne, Germany. Farage seized on this event and implied that similar attacks could happen in the UK if Turkey were to become an EU member and thus implied a connection between Muslim immigration and EU migrants, also arguing that a “Turkish-dominated” Europe presented risks for UK citizens (Elgot and Mason 2016).

Other key figures of the Leave campaign distanced themselves from the poster and these remarks, with Boris Johnson in particular noting that “this was not his politics” but agreed with Farage that Cameron was unable to cut migration. Johnson argued that leaving the EU would actually help to “neutralize anti-immigrant feeling” generally because it would be “taking back control” (Calamur 2016). The issue of controlling migration and Cameron’s credibility on the issue became central to the vote. Harkening back to his 2010 pledge to cut net migration to the “tens of thousands,” Farage and other Leave campaigners focused on his inability to do so as net migration numbers rose to 327,000 a year (as of March 2016), with Farage calling Cameron “Dishonest Dave,” and Boris Johnson and Michael Gove co-authoring an open letter in the Sunday Times which said Cameron’s failure to keep his pledge was “corrosive of public trust in politics” (Vina 2016). Cameron maintained that despite his inability to cut migration thus far, the initial target was worth maintaining and that the policy solutions he had achieved in the renegotiation, including new policies which would force jobless EU migrants to leave the UK after six months and which would introduce an “emergency brake” that would force new arrivals to wait four years before claiming in-work benefits, would help achieve that target. Yet, the press and spokespeople from the Leave campaign, seized on reports by think tanks and comments from Labour

leader Jeremy Corbyn and the leader of “Labour In” Alan Johnson, corroborating that Cameron’s secured policy reforms with respect to benefits would only have a small impact on the reduction of EU migrants, as the majority of EU migrants were, in fact, not benefit claimers (Watt 2016). The Leave campaign repeatedly hammered Cameron’s ability to control migration and accused him of lying about the possibility of reducing migrant numbers absent a withdrawal from the EU.

Cameron himself acknowledged following the result of the referendum that there “was a sense of no control on immigration and free movement,” and that this was a “driving factor” that led many voters to vote for Brexit (Dominiczak and Holehouse 2016). His acknowledgement was a tacit confirmation that his strategy had missed the mark: his secured reforms for benefits would not drastically impact net migration nor free movement. Yet by emphasizing the notion that EU migration was a problem due to abuse of benefits, he inadvertently reinforced the perception that migration was problematic, lending credence to the more virulent anti-immigration narratives of Ukip and others. The irony of the Leave campaign’s success is that once they undermined Cameron’s governing competence and achieved their preferred policy solution of Brexit they also acknowledged that they, too, would be unlikely to substantially lower migration in the short-term or to completely put a stop to free movement if they wished to retain the economic benefits of a relationship with the EU. The new Prime Minister, Theresa May, would be left with the goal of reducing net migration and trying to reassert the government’s competence on migration policy while negotiating a Brexit.

VI. Conclusion

This chapter addressed the role of narrating free movement as a “migration crisis” as having a ratcheting up effect on contestation over migration policy in the UK. The effective portrayal of EU migration as a crisis, and as Brexit as the only workable solution, meant Cameron’s narrative of benefits tourism was ultimately unsuccessful. By focusing on the question of “benefits tourism,” Cameron argued that specific type of EU migration, from those who abused benefits, was a problem. Yet, this policy narrative, which was an assemblage of ideas about British interests vis-à-vis the EU, managed migration, and a new assertion of British values and domestic welfare reform, was difficult to control. Once Cameron accepted the framing of the expiration of controls on the free movement of Bulgarian and Romanian migrants as a migration crisis, he acknowledged there were potential negative social and economic costs to British citizens and taxpayers.

Acknowledging these costs, Cameron also explicitly left room for the idea that a British exit from the EU might be a legitimate option given increased numbers of EU migrants and perceived abuse of freedom of movement. The emergence and resilience of this policy narrative, and its eventual linkage to a Brexit, cannot solely be explained by political pressure from Ukip; indeed, the elements of the “benefits tourism” narrative were in place as far back as the 1990s, emerging from intra-party and inter-party politics. However, Ukip, despite its lack of formal political power, played a crucial role, contributing to the perception of EU migration as a crisis and thus legitimizing the option of Brexit as a policy solution.

Departing from perspectives which emphasize the role of political actors in shaping and interpreting beliefs about policy problems, and de-emphasize linear explanations of interests and electoral considerations, the central argument of this chapter has been that

“benefits tourism,” as a policy narrative, generated the unintended consequences which caused Cameron’s loss and a Brexit vote. EU migrants went from being a non-issue with respect to larger “problems” of migration and asylum policy to the central problem, thanks to the articulation of a link between E.U. migrants and “benefits tourism.” The narrative’s resonance is explained by its fit with a broader frame of “abuse” of both immigration and welfare systems, and this resonance is enhanced by politicians and media outlets repetition of stories and claims which associate migrants with criminality. The linkage of EU migrants to societal and economic costs including a perceived increase in crime, a threat to community relations, and a connection to including “benefits tourism” has enhanced the resiliency of the narrative, in spite of evidence suggesting that EU migrants were not claiming benefits in large numbers. Once the narrative acknowledged the “problem” of EU migration and the danger to social cohesion, social services, and security, it was difficult to maintain the narrow focus on benefits and political actors from the Leave campaign, especially Nigel Farage, took advantage of reinforcing ideas connecting EU migration to criminality.

The narrow focus of the benefits tourism narrative also meant that Cameron’s attempt at renegotiating the UK’s relationship with the EU and the policy outcomes that resulted were easily attacked as having little impact on reducing net migration. Indeed, the government itself acknowledged that benefits tourism was not widespread, and independent reports confirmed that reductions in benefits eligibility would not impact EU migration as the majority of EU migrants did not claim benefits. Thus, Cameron’s attempt to focus the migration issue on the abuse of benefits failed as he himself acknowledged: there was still a sense of a lack of control of migration that drove many voters to choose Brexit.

This chapter staked out a more precise claim about how Ukip was able to destabilize the Conservative Party's credibility on the issue of migration (Lynch and Whitaker 2013) through the usage of a "migration crisis" episode. Yet, narratives are more than purely instrumental: they are influenced by broader ideas and debates about national values and identity. The experimentation of different combinations of ideas in the form of policy narratives, may, however, lead to the appropriation of narratives by other actors for other ends. The unintended consequences of the benefits tourism narrative as it aided Brexiteers is a prime example of the ways in which competition over policy narratives can lead to surprising failures, such as Cameron's miscalculations which led to a Brexit.

CHAPTER THREE: L'AFFAIRE LEONARDA: NARRATIVES OF NATIONAL IDENTITY AND MIGRATION POLICIES IN TENSION

“But France is a state of law, we have clear rules on deportation, regularization also, and we very simply apply the law.” – Manuel Valls, November 28, 2013

“[Leonarda] Dibrani, it’s the archetypal case where we no longer know what we should do, in the interest of the family and of France.” – Jean-Louis Touraine, November 28, 2013

I. Introduction

In October 2013, French border police in eastern France pulled a 15 year-old teenager named Leonarda Dibrani off a school bus, while traveling for a school trip, in order to deport her to Kosovo with the rest of her family. The Dibrani family, people of Roma ethnicity, had been judged to be failed asylum seekers and served with a legal order to leave the French territory after multiple failed appeals. The incident set off a firestorm in the French media and within the Parti Socialiste (PS). Thousands of middle and high schoolers, along with supporters from migrant advocacy organizations and unions, took to the streets to protest the deportation of a minor on a school trip, and called for school activities to be a space protected from migration control. Meanwhile, Minister of the Interior Manuel Valls defended the deportation, noting it was done in accordance with the law, yet many within his own party questioned the manner in which Leonarda’s detainment had taken place. Why did *l’affaire Leonarda*, focusing on this one particular student, who notably had siblings of school age, cause such a public uproar and such intense divisions not only between parties but within the ruling party, particularly when thousands of immigrants and people in irregular status are expelled from France each year, and when a majority of the French public agreed with the expulsion, according to the polls? Further, why would President Hollande himself intervene in a legal expulsion, extending an invitation for Leonarda to return to France to continue her

schooling, essentially overruling his own Minister of the Interior, Manuel Valls, who had emphasized the legality of the deportation? The episode seriously undermined the public's confidence in Hollande, as his approval numbers dropped six points after the episode (Huffington Post 2013), and further highlighted already existing tensions in the Parti Socialiste.

In this chapter I argue that Hollande's attempt to find a solution to "l'affaire Leonarda" can only be understood by examining the constitutive tensions between the policy goals and ideas held by political actors across and within the multiple policy domains which compose migration and asylum policy. Through the evolution of multiple narratives the Roma became considered problematic due to their lack of willingness to integrate, and their ability to "abuse" free movement as European citizens. As such, France, one of the most pro-European integration countries, also found itself embroiled in several spats with the European Commission over its policy of Roma removal in 2010 and 2012. Although Leonarda's family hailed from Kosovo rather than another EU member state, questions of the abuse of free movement and the abuse of the asylum system dovetailed in her family's case, since the family had spent time in Italy prior to their time residing in France, where they subsequently lodged an asylum application, which was eventually denied.

Unlike the emergence of the policy narrative of "benefit tourism" used to describe EU migrants in the UK explored in the previous chapter, no single narrative governed the responses to the Leonarda affair. On the one hand, this incident exposes a tension between restrictive policy for the removal of Roma from France due to their "inability" to integrate, and a more liberal policy for the regularization of *enfants scolarisés* (minor children enrolled in school) due to the understanding of school as a place protected from social conflict, both

policies instituted under Sarkozy's government and continued under Hollande. Yet to focus solely on the emergent contradictions between these two policies is to overlook a third crucial policy domain, asylum, which played a key role in influencing the outcome of Leonarda's case-- in particular, the emphasis on Mr. Dibrani's lack of demonstrated willingness to integrate and the unsupported nature of his asylum claims. The legal justification behind the removal of the Dibrani family to begin with was that Leonarda's father as a failed asylum seeker had lied to French asylum officials about his family's origins and presented a false marriage certificate in order to establish his family's Kosovar origins, when only he himself was born in Kosovo. Indeed, in response to the incident Manuel Valls advocated for an overhaul of the French asylum system, which was "on the point of breaking."

The Leonarda case is instructive in two ways: first, because it is indicative of the tensions migrants themselves can reveal between particular policy areas and policy ideas. Particular policy goals including the removal of irregular immigrants, the deportation of the Roma, and integration of immigrants and "sanctuarization" of schools—their protection from immigration enforcement—all came into contrast when Leonarda was deported. The tensions between these policies, revealed in the case of Leonarda, and Hollande's attempt to balance them in his solution, reveal that the relationship between the underlying ideas and goals governing migration and asylum policy is contingent and prone to a lack of stability. In the current period, the layers of multiple policies and ideas invoked by the Leonarda affair were not clearly ordered, but were pieced together in a contingent solution. Whereas Peter Hall (1993) asserted that a change in the hierarchy of policy goals was relatively rare, the case examined in this chapter demonstrates that a clear hierarchy of policy goals is not always

discernable, particularly in an issue area which contains as many policy domains as migration and asylum (integration, irregular migration policy, and asylum policy as just several examples).

To return to the main argument of this dissertation, an exposition of l'affaire Leonarda reveals the ways in which a “migration crisis” is subject to multiple interpretations, and the friction between these interpretations is a part of the process of contestation through which actors debate not only migration policy, but narratives of national identity. In this case the dominant interpretations of the crisis by the government, as a “crisis” of Roma integration and the abuse of free movement and the asylum system were challenged by grassroots and NGO-led mobilization. Due to Leonarda’s student status at the time of her removal, NGOs led by Réseau Education sans Frontières (RESF), and student groups joined to promote schools as a vector of *intégration républicaine*, an idea which provided the basis for public mobilization. This idea also provoked an internal debate within the Socialist Party over Leonarda’s removal (see table 3.1 below). It is the evolution of this set of ideas and the friction they encounter when engaged with the intertwined layers of migration policy that explains the politicized and mediatized nature, reaching national and international awareness, of the Leonarda case. The friction between ideas and policy goals also explains what was seen by many as an awkward attempt by Hollande to upholding French law while extending a special invitation to Leonarda to come back to France—as long as she returned without her family. The Hollande government was still able to pursue its goal of removing irregular migrants who were rejected by the asylum system on the grounds of fraud and a lack of willingness to integrate. Particularly for public opinion and the media, Leonarda’s removal dovetailed with the policy goal of removal of the Roma due to their lack of ability and/or

willingness to integrate. This was due to the incident following close behind a debate on Roma integration launched by Manuel Valls, as Hollande himself acknowledged. Hollande, in an interview published in the book *Un président ne devrait pas dire ça* said, “In retrospect, it would have been better to not intervene. If I would have to do it again, I am not sure I would do it in the same manner” ... “But since my intervention came after the “Roma affair,” that made it tense. The Leonarda story, without Valls’ statement on the Roma, would no doubt have been better” (Davet and Lhomme 2016, p. 157-158 my translation). As Hollande noted, he would not have intervened directly in Leonarda’s case but for the frequently publicized criticisms of his lack of response to Valls’ statements on the Roma: “Those who say ‘but why has Francois Hollande spoken,’ were the same who demanded that I do it! Imagine if Valls had spoken in my place, he had said the same thing as me, but then you would have said, ‘Yes, but that’s the position of Valls. What does the President think? Does he really agree?’ Therefore, I think it wasn’t up to me to speak, but if I hadn’t done it, you would have reproached my silence” (Davet and Lhomme 2016). His intervention thus represented a partial victory for civil society actors who had wanted him to take a stand on Valls’ Roma discourse, and indeed led to a policy change—a legal codification of students engaged in school activities as protected from deportation. Contrary to Manuel Valls’ quote describing the affair which opened this chapter, in this case the law was not simply applied, but through the mobilization of collective actors and the involvement of the President, resulted in a partial policy change.

Figure 3.1. Friction between policies and ideas in "L'Affaire Leonarda"

		Concurrent policy areas	Underlying policy ideas/beliefs	Outcomes
Characteristics of Leonarda	Roma	Roma removal	Roma as unable/unwilling to integrate	Public support for removal; Valls continues Roma removal policy; Cabinet clashes
	Student	School as protected environment/regularization of undocumented students	School as vector of integration and protected environment; student status as evidence of integration	Public backlash against removal; Socialist Party calls for school as sanctuary; Hollande invites Leonarda back to France; Valls issues administrative reform clarifying removals are not to take place in school environment
	Failed asylum seeker/irregular migrant	Asylum, irregular migration and deportation	Prevalent fraud and abuse threatens to overwhelm French asylum system; burden is on asylum seeker/irregular migrant to demonstrate willingness to integrate	Willingness to integrate required to overturn expulsion order; Legal character of removal emphasized and upheld; Valls calls for reform of delays in asylum process

Like the UK case described in the previous chapter, many media commentators suspected that political pressure from the far right Front National impacted the situation. Many argued Valls' comments regarding the Roma which preceded Leonarda's expulsion were politically calculated to attract the support of French voters potentially swayed by the Front National, with municipal elections looming in 2014. The far left former presidential candidate Jean-Luc Melenchon said Valls was "contaminated by the ideas of the Front national" and European Parliament member Daniel Cohn-Bendit suggested that Valls was "reinforcing the extremists," but Valls' position was supported by 93% French respondents

to a poll conducted by BVA agreeing that the Roma were poorly integrated (*Nouvel Obs* 2013). Although the Leonarda episode further damaged Hollande's reputation, causing his approval rating to fall to 26% in the polls, Valls seemed to gain in popularity following the episode, with 63% of the French approving of his conduct during the episode. In particular, Valls made important gains in support from both UMP and Front National voters, according to a poll conducted by Harris Interactive et Délits d'Opinion (L'Express.fr 2013). Yet to say the decision to expel Leonarda's family, or the general policy to expel the Roma, were taken purely out of an instrumental electoral logic would be to overlook the ideas which are the foundation for these policies.

As described in Chapter 1, many scholars have focused on ideas and their role in institutional change over the long term (Lieberman 2002; Blyth 2002) explaining large-scale transformation in government institutions. This chapter, while inspired by these approaches, applies the study of ideas and policy goals to a single episode in the short term in order to reveal the level of dynamism and contingency inherent in a particular political moment. As Lieberman (2002) notes, "we can consider that any political moment or episode or outcome is situated within a *variety* of ordered institutional and ideological patterns" (700). Thus, the explanation of "l'affaire Leonarda" provided in this chapter takes a closer look at which particular institutional (here, analyzed as policies) and ideational patterns impacted the political outcome and why.

With regard to the specific application of the study of ideas to the domain of migration and asylum policy, this case is instructive since it reveals the tensions between different policy goals and ideas within a variety of policy strands. Further, the chapter shows how actors with a lack of formal political power can use "national ideas" to challenge the

state's narrative. By focusing on students' removal and the national idea of *scolarité*, these civil society actors were able to create a compelling alternative narrative which suggests migrant students should be legally protected from deportation. This case thus demonstrates what Schmidt and Carstensen (2016) have called "power through ideas," or the capacity of actors to persuade other actors to adopt their views "of what to think and do," can be exerted "from below." In addition, *l'affaire Leonarda* demonstrates the episodic nature of narratives of migration crisis. The general idea that schools should be "sanctuarized," i.e., protected from daily political debates due to their special status as places of integration, became much more persuasive when connected to the story of an individual student.

This chapter will proceed as follows: first, I will consider the evolution of the three policy strands which came together in the Leonarda affair and the ideas undergirding them. The first is the Roma removal policy of the Hollande government, continued from its predecessor. First, I will explain the context of continuation of Roma removal from the Sarkozy policy in 2010 to the Hollande government in 2012-13. Next, I will focus on the repeated assertions by Valls that the Roma are unable or unwilling to integrate will be put into the context of a broader debate about what integration is and how to facilitate it through policy. I will consider the relationship between integration and migration writ large, focusing on the expansion of criteria for demonstrating integration, and the state shifting the burden of proof of willingness to integrate to migrants themselves.

In a related vein, I will consider the policy of Roma removal as goal which draws on the belief that the Roma are unable or unwilling to integrate. The perception of certain groups as unable or unwilling to integrate has made its way into policy, with Manuel Valls repeatedly asserting that the Roma are unable or unwilling to integrate because of "extreme

differences” in ways of life. The public certainly seemed to agree as a BVA opinion poll indicated that 93% of French agree that the Roma do not integrate well into French society (Nouvel Obs 2013).

As a member of the Roma ethnicity, Leonarda’s case followed a professed government policy of expulsion due to the general lack of willingness of group members to integrate and the threat to public order represented by their seemingly disproportionate involvement in crime and their “unsanitary” living conditions (though neither of these latter charges applied to Leonarda herself, but rather to her father). Hollande himself had highlighted the “unsanitary” nature of Roma camps when mounting a critique of Sarkozy’s policy of Roma removal as a presidential candidate, arguing, “I wish that, when an unsanitary camp is dismantled, there are alternative solutions proposed” (Ligue des droits de l’homme 2012). The Leonarda case in effect straddled the boundaries between the individual and group evaluation as the social behavior of her father was evaluated, while in the background a government policy openly doubting the ability of members of her ethnicity to integrate loomed.

Next, the chapter will explore in greater detail the entangled nature of the policies that the Leonarda event revealed. As mentioned above, Leonarda’s case became a matter of public concern at least in part due to her status as a student. Prior mobilizations against the deportation of students had been successful on a local level and had even resulted in a government *circulaire* addressing the removal of students during the school year in 2005 (RESF 2005), but this case brought re-opened the debate and brought national attention to the question of the “sacred” nature of education and the school as a place for effecting immigrant integration. These mobilizations resulted in Hollande’s desire to acknowledge and assuage

protestors, many of whom came from the Socialist constituency (labor and student unions), and also contributed to another rift between Cabinet members, with Minister of Education Vincent Peillon calling for a sanctuarization of schools.

Lastly, in order to understand the government's (and particularly Valls') assessment of the Leonarda case in the longer term, it is necessary to examine the linkage between Leonarda's case and proposed reforms to asylum policy. The government narrative of asylum policy has focused on fraudulent and abusive claims. This narrative has cemented government practices and legal interpretations which bolster the case for expulsion as regularized practice. The narrative of fraud and abuse, when joined with a lack of "willingness to integrate," formed the basis of the legal decision to expel the Dibrani family, upheld by Valls and Hollande. However, many have argued that the Leonarda case itself was created by the failures of the asylum system to handle failed asylum seekers in a timely manner.

Before concluding, I will examine whether this incident is representative of a process of contestation over policy narratives in France and what lessons it may offer.

II. Willingness to integrate

Many scholarly works have addressed the French approach to immigrant integration with a particular focus on the republican ideology or "public philosophy" (Cornelius, Martin and Hollifield 1994; Freedman 2004; Favell 1997). These authors highlight the "double-edged" nature of republicanism, focusing on the inclusive, even universalist, nature of the philosophy and its attendant citizenship policies, incorporating those who agree to adopt French values, while at the same time noting the exclusiveness of this philosophy due to its inadaptability of this set of values to newcomers. Bowen and Scott have examined the

contradictions that arise when the universal aspirations of republicanism are focused on the practices of Muslim immigrant women, in particular. Others have advocated a move away from examining particular national models of immigrant integration to focus on the similar integration policy practices adopted by various Western European countries (Joppke 2007), noting that Western European states including the Netherlands, Germany, and France, all with vastly different traditions of immigrant integration, are now pursuing similar policy practices including civic integration courses, tests, and in the case of France, a contract. As Joppke notes, the “repressive liberalism” of such practices has marked a general turn across Western Europe toward the use of integration policies as barriers to entry—yet, while the policies themselves may be new, their repressive dimension echoes past iterations of the terms and conditions through which people may access rights afforded by national membership. For example, in a classical liberal formation, access to rights and membership was conditional based upon the individual’s rational capabilities (Joppke 2007: 16). Brubaker (1992) also notes that following the French Revolution, national membership depended not only on legal definitions but on behavioral characteristics, amongst them work: “As Thibaudeau put it, ‘the working man can be a foreigner in no country; he is naturalized by his work.’ Conversely, certain ‘bad citizens’ could be redefined as foreigners, as nonbelongers” (47).

This section will focus on the impact of the idea that the state has the ability and perhaps even a responsibility to determine *willingness* to integrate. This idea has evolved to include a combination of the French emphasis on the social-contractual nature of republican integration on the one hand with the expansion of criteria to demonstrate willingness to integrate, also practiced by other European member states. The idea of “willingness to

integrate” thus represents an example of a “national idea” which is part of the ideational toolkit policymakers can draw on in the process of contesting policy narratives.

The voluntary nature of the republican philosophy emerged from the idea of a social contract, in which anyone who wanted to could become French. The “voluntarist” nature of French citizenship has framed both failed and successful reforms of citizenship and nationality law, as Brubaker (1992) points out, including the need for second-generation immigrants to demand citizenship at the age of majority. More recently, there have been a series of reforms directed at integrating immigrants, including an obligatory “Welcome and Integration Contract” (*Contrat d’Accueil et d’Integration*) and, in multiple policy sectors including family reunification and the regularization of irregular migrants, an expansion of the legal criteria required to demonstrate willingness to integrate. This expansion of criteria encompassed not a voluntary social dimension but added particular requirements including employment, language requirements, and in some cases, housing and monetary support requirements—an examination of employment criteria as a case study within this case will be explored below. These two dimensions of integration policy played a central role in the Leonarda case because it was deemed that the family was unwilling to integrate, as demonstrated by the father’s lack of employment and the parents’ inability to speak French, amongst other criteria. As will be discussed further below, the political identification of the Roma as a group unable and/or unwilling to integrate also played at least an implicit role in the decision to expel the Dibranis, and certainly played a role in public opinion supporting the deportation as well as politicized nature of the event. As the second part of this section will show, the linkage of Leonarda’s expulsion to debates on Roma removal policy

heightened the stakes for President Hollande to intervene, since the Roma removal policy had created a split in the Cabinet.

Employment as a criterion for willingness to integrate

As in the UK case, the impact of an increased focus on the economic costs of supporting immigrants under the climate of recession in Europe meant that employment was highlighted as a criterion to demonstrate willingness to integrate. As the original rationale for inviting migrants to France in the post-war era was economic, it is perhaps not surprising that economic criteria played a role. As early as the 1970s, economic downturn provoked a restriction on immigration for work; ever since, large numbers of immigrants have arrived and been granted residency in France for purposes of family reunification. However, a focus on employment as a criterion for integration has re-emerged. As Joppke writes (2007), social inclusion now has an economic instrumental dimension as immigrants are expected not only to not burden the welfare state, but to increase the global competitiveness of the state itself (17).

Regarding employment, the majority of migrants or would-be asylum seekers are perceived to be lowly-skilled, and the government has openly courted highly-skilled migrants both under Sarkozy and Hollande. Sarkozy's famous preference for chosen (i.e. highly-skilled) vs. suffered (i.e. lowly-skilled, asylum-seekers, and family reunification beneficiaries) migrants translated into policy: for the first time in years, France's immigration policy, overhauled in 2006, created three-year visas for highly-skilled migrants "who contribute for French economic dynamism" (de Carvalho 2015). At the same time, under Sarkozy France adopted increasingly "obligatory civic integration" requirements to "limit and control the inflow and settlement of migrants" (Goodman 2010) and restricted the ability

of third-country nationals to work. Statistics gathered by MIPeX show that approximately 45% of third-country nationals in France in 2012 were not participating in any employment, education, or training. The public sector is largely closed-off to immigrants and in the private sector immigrants are prohibited from participating in fifty professions (France MIPeX 2015). Thus the paradoxical outcome arises: at the same time the government officially added employment or a search for employment to its integration criteria, it also continued to place restrictions of the type of work immigrants could hold.

Additionally, for asylum seekers, from 1991 until 2006 France did not allow asylum seekers any access to the labor market; this changed with the implementation of the EU Reception Directive which required access to the labor market for asylum seekers who were waiting more than twelve months for a decision on their application (ECRE 2005). While concerns about the costs of providing housing and temporary financial support for asylum seekers were paramount in the discussions between the government and social service providers (Interview JRS 2012), in negotiations over the EU Directive politicians from member states expressed concerns over the provision of employment as a “pull” factor for potential asylum-seekers, as a 2012 Council of Europe document indicated: “Certain states further argue that the granting of the right to work to asylum seekers will act as an additional factor of attraction, even if that has not been able to be clearly demonstrated” (Parliamentary Assembly, Council of Europe 2012, p. 12, my translation). Indeed, French policymakers insisted upon the ability to restrict asylum-seekers’ employment for a delay of 9 months, making it one of the more restrictive states in the union—11 countries had periods of 0-6 months wait (European Parliament 2016). In practice, a number of factors in domestic law

make access to employment very difficult for asylum seekers, including professional restrictions and the granting of work permits (Asylum Information Database, 2016).

Thus, the French government tried to balance the policy goals of reducing the cost of providing for asylum-seekers on the one hand while preventing what they saw as a potential attraction for asylum-seekers, employment opportunities. Overall, the tensions between employment as a factor for demonstrating integration on the one hand while acting as a potential pull factor for unwanted low-skilled immigrants and asylum-seekers on the other has meant that finding employment can be quite difficult for immigrants and asylum-seekers but at the same time is looked at as proof of willingness to integrate (France terre d'asile 2009).

For Leonarda's father, Resat Dibrani, his lack of demonstrated interest in employment was a criterion used to judge his lack of will to integrate. Ultimately this perception strongly influenced the administrative court's denial of his appeal on the rejection of his asylum claim and the local refusal to grant him leave to remain after being served with an obligation to leave French territory (OQTF). Having entered French territory in 2009, M. Dibrani would have been eligible to look for employment either one year from the lodging of his claim for asylum (if still in process), or once he filed for appeal. Local association volunteers had worked with M. Dibrani to find employment but he apparently failed to follow through on opportunities to interview for jobs, according an investigation conducted by the government at Valls' behest after the incident (IGA 2013). Local officials can have tremendous leeway in influencing the decision over whether or not an expulsion order is overturned, as will be discussed further in the section III. For example, in the aforementioned report the authors note the Prefecture (local government authority) refused M. Dibrani's

request for a provisional residence permit, which could have been granted due to his children's enrollment in school (discussed further below). The permit was denied because of his "general comportment" denoting a lack of "a real will to integrate into French society" which was demonstrated by several criteria, one of which was an "absence of a serious search for a job even though demand for employment existed in the neighborhood of Pontarlier" (ibid. p. 16). Collected testimony in the report noted that M. Dibrani failed to follow up on offers to interview for jobs, and "did not hide that he was waiting for the deposit of family benefits following his regularization in order to ensure an income for his family" (ibid., p. 17). Noted in the report was the testimony of the Counselor General, who worked with five other families of failed asylum seekers, including another family from Kosovo (presumably also Roma), and noted "the Dibrani family was the only one who did not engage in a process of integration" (ibid., p. 17). However, regarding Leonarda specifically, one of her teachers provided testimony that she had demonstrated a willingness to integrate and made progress in her education. The report concluded that both local authorities and a local association volunteer who aided the Dibrani family concurred that two other families had recently been given an exceptional provisional residency permit after proving "a real will to insert themselves in French society (mastery of French, investment in job searching securing promises for interviews, and concern for good relations with neighbors)" (ibid). Thus, the lack of willingness to integrate on the part of Leonarda's father, demonstrated in part by his lack of employment or a serious search for employment, led to the overall emphasis on the legal character of the expulsion and the sound reasoning behind that decision. Contrary to being a simple application of the law, the Dibrani case is

instructive in that it contains room for interpretation and the influence of local authorities to judge whether an individual has demonstrated willingness to integrate.

Integration and the Roma Question

While the above section discussed, in part, why the legal character of the expulsion was upheld, it does not explain why this incident garnered national media attention, nor why the expulsion called for the intervention of the President. Answering these questions requires examining the connection between the Dibrani family's ethnicity and Valls repeatedly reinforcing the idea that the Roma were unwilling and unable to integrate due to extreme differences from the French. Just a few weeks before Leonarda's deportation, Valls made public statements defending the continuation of a policy pursued under the Sarkozy government to expel Roma and break up the camps where they lived. He noted it was "illusory to think that we will solve the Roma problem through integration" and that a majority of the Roma were unable or unwilling to integrate due to extreme differences between their lifestyle and the French lifestyle (France24 2013). Especially since 2010, the Roma are often singled out in France as a group particularly associated with criminality and disturbances to the public order. (See Figure 3.2).

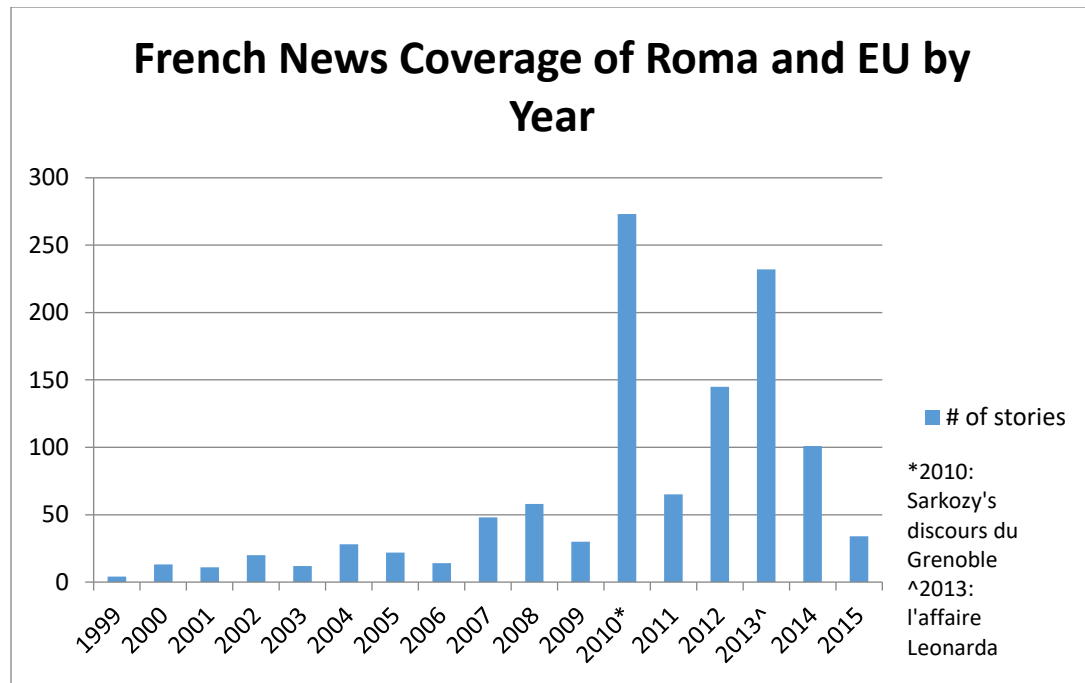


Figure 3.2. French News Coverage of Roma and EU by year, 1999 – 2015. Keywords: “roms” and “UE,” sources: *Le Monde, Le Figaro, Le Parisien*. Source : LexisNexis Academic database. Last accessed February 17, 2017.

To be sure, the Roma have been a subject of media and political attention in relation to issues other than free movement, as well, but the two became inextricably linked in 2010. Then French President Sarkozy gave a speech in Grenoble linking crime and the failures of integration to French citizens of foreign origin, irregular migrants, and specifically, the Roma. Politically, the speech exposed ongoing tensions between the right and the left, with the Socialists in particular decrying Sarkozy’s singling out of the Roma as racist and the proposed differential treatment of French citizens of foreign origin as challenging the “French Republican paradigm” (de Carvahlo 2015).

The policy consequences of the “*discours Grenoble*” included the introduction of legal changes to expel even EU citizens who were deemed to abuse free movement (de Carvahlo 2015), and an immediate ratcheting up of the removal of the Roma from France and the destruction of their encampments (Astier 2014; European Roma Rights Center

interview 2012). A government memo dated August 5, 2010, signed by Michel Bart, director of the Cabinet of the Minister of the Interior, specifically directed the prefectures and gendarmerie to target Roma camps for dismantlement. Referencing in particular the President's speech at Grenoble, and the policies carried out following the speech, the document read: It comes back to each department, to the prefects, to engage in a systematic dismantlement of illegal camps, in priority, those of the Roma" (Le Ministre de l'Interieur, 2010, p. 2, my translation).

This circulaire led to a subsequent period of heightened tensions between France and the European Commission, in particular, the European Commissioner for Justice, Viviane Reding, who suggested that the circulaire was in violation of the EU Directive on Free Movement, because the circulaire explicitly targeted the Roma. Since many of the Roma being deported were from Romania and Bulgaria, they were European citizens, and as such were beneficiaries of free movement. France had temporarily put labor market restrictions on Romanians and Bulgarians following their acceptance as EU states in 2007, as was the case in the UK, discussed in Chapter 2. Despite these labor market restrictions, nationals of Romania and Bulgaria were allowed to travel freely without visas and could reside in any state in the Schengen area without a residence permit or employment for up to three months. Commissioner Reding launched a formal investigation into France's practices of Roma removal and threatened to formally launch infringement proceedings against France. This meant that if France did not change its implementation of the law and make necessary legal changes to accord with EU policy, it could be referred to the European Court of Justice. As part of the investigation, the Commission had a formal meeting with French ministers Eric

Besson and Pierre Lellouche, to discuss whether or not specific ethnic groups had been targeted for removal. In a briefing following the meeting, Reding noted,

I submitted a preliminary legal analysis of the French measures on 1 September to President Barroso and the College of Commissioners. This preliminary analysis stressed, *inter alia*, that France would be in violation of EU law if the measures taken by the French authorities in applying the Free Movement Directive had targeted a certain group on the basis of nationality, race or ethnic origin... I can only express my deepest regrets that the political assurances given by two French ministers officially mandated to discuss this matter with the European Commission are now openly contradicted by an administrative circular issued by the same government. The role of the Commission as guardian of the Treaties is made extremely difficult if we can no longer have confidence in the assurances given by two ministers in a formal meeting with two Commissioners and with around 15 senior officials on the table from both sides. (European Commission 2010)

In France, the Roma removal policy launched a number of lines of debate. Pierre Lellouche, French Minister for European Affairs, objected strongly to Reding's tone and to her characterization of the Commission as the guardian of the Treaties, as well as the intervention by European institutions in what he saw as a matter of sovereign national politics. "France is a big sovereign country. The guardian of the treaties is the French people" (Le Parisien 2010). Lellouche also objected to the European Parliament's formal condemnation of French policy, arguing the institution had "completely lost its credibility" by acting in such a manner (*ibid*).

The question of the French policy's compatibility with the EU Directive on Free Movement revolved around two dimensions: first, as discussed above, the specific targeting of a particular ethnic group (also EU citizens); second, the ambiguity of the directive with respect to limitations on free movement. The Directive specified that recourse to social assistance should not be a sufficient condition for expulsion; and allowed for "restrictions to be placed on the right of free movement and residence on grounds of public policy, public

security or public health” (European Parliament and Council, Directive 2004/38/EC recital 16; recital 22).

The policy also launched a highly politicized debate within France, with strong condemnation of the policy coming from the left and strong support for the policy coming from the right. Even on the right, however, several key figures criticized the policy including Jean-Pierre Raffarin, calling the policy a “*dérive droitière*,” suggesting that the policy was trying to attract voters from the extreme right (Le Figaro 2010a). Notably cabinet member Herve Morin suggested in a speech on August 29, 2010 that the Roma had become the new scapegoat following Muslim immigrants (Le Figaro 2010b). Bernard Kouchner, Minister of Foreign Affairs, said he considered resigning his commission over the government’s policy, but he also condemned UMP members of parliament and others who openly compared Roma removals to “the mass incarcerations of Gypsies in occupied France during World War II” (Le Monde 2010; Simons 2010). Thus, even during the Sarkozy era when restrictive migration policies were a prominent feature of his platform, the Roma removal policy was contested at both the domestic and international level. This is particularly important to keep in mind when tracing the continuation of the policy from Sarkozy’s government to Hollande’s.

During his campaign, Francois Hollande specifically mentioned the dismantlement of Roma camps in March 2012, stating “I wish that when an unsanitary camp is dismantled, alternative solutions will be proposed. We cannot continue to accept that families are evicted from a place without a solution. This leads them to settle elsewhere, in conditions which are not better” (Faye 2012). Just months after his election, in July, Hollande’s Minister of the Interior Manuel Valls noted that the dismantlement of Roma camps were

often the consequences of legal proceedings which in some cases took place before Hollande took office. Frequently, the owners of the land on which the camps were located make a demand to the prefecture. Valls noted, “It is a policy which is both firm and respectful of the law” (ibid). Facing mounting criticism from within their own party and from migrant rights associations following the dismantlement of a camp in Evry, Valls defended the government’s policy once again in August. He declared that evacuations of camps would occur not only when decided by legal proceedings, but “when there is a situation related to health or security which cannot be tolerated” (Europe1 2012). The government published a new circulaire outlining these conditions. Regarding the question of providing alternative housing to those expelled, Valls cautioned that it may be necessary to break up communities due to the presence of “mafias, networks that sustain crime, and criminality, by exploitation, especially of minors” (ibid). Valls’ position changed simply from the policy carrying out the legal demands of property owners to one blending an emphasis on legality with an emphasis on criminality, security, and sanitary conditions. Further, watchdog organizations claimed the expulsions occurred on a collective, rather than an individual basis, and that “many Roma were... issued a standard order to leave the territory without proper examination of their situation” (Martin 2013). The European Commission, Amnesty International, and UN High Commissioner for Human Rights all issued condemnations of French policy. Amnesty International wrote a letter to Hollande calling

on the French government to ensure that human rights are at the heart of any discussion of the situation of Roma in France. The government must make a firm, public commitment that all evictions respect France’s obligations under international human rights law. No eviction should render anyone homeless or vulnerable to other violations of their human rights. Further, Amnesty International urges the new government to ensure that any policy it adopts is one which aims to end forced

evictions of Roma living in unauthorized camps in France. (Amnesty International 2012)

Even while Valls focused on questions of legality, criminality, and the sanitary nature of Roma encampments, the government also requested action at the European level to promote the integration of the Roma in an apparent attempt to respond to some of the backlash against the policy. Further, the government decided to remove some restrictions on employment for Bulgarian and Romanian workers, with Euractiv pondering if this marked a “major shift” in France’s policy (Euractiv 2012). However, it appeared in March 2013 that the government was still questioning how to handle this “difficult and extremely complex situation.” In particular, Valls noted proposals to promote the integration of the Roma “could only concern a minority, since, alas, the occupants of camps do not wish to integrate in our country for cultural reasons or because they are in the hands of networks, paid for begging or prostitution” (Cornevin 2013). To combat such networks, Valls suggested “increasing the enrollment of Roma children in school and opening residence and work permits to those who wish to integrate” as policies which might help to promote Roma integration (ibid.).

In fall 2013, weeks before l’affaire Leonarda, Valls once again restated his position on Roma integration at Socialist Party meetings in Bordeaux. As in the case of Sarkozy’s speech in Grenoble, Valls’ pronouncements revealed divisions within the Cabinet and within the Socialist Party. Housing Minister Cecile Duflot openly criticized Valls, arguing that his words had “gone beyond endangering” republican values and demanded that the President clarify his own position on the issue. Yet, polls showed that large majorities of the French public on both the right and the left agreed with the idea that the Roma were poorly integrated. The media suggested that Valls was pursuing an electoral strategy in advance of

the 2014 municipal elections with the popularity of the Front National surging (Martinat 2013, Meeus 2013).

In sum, the government's Roma removal policy both under the UMP and the PS was contested within the government and by the opposition. The tension between singling out the Roma as an ethnic group as unable or unwilling to integrate on the one hand, and republican ideals which suggest that any individual is free to adopt French values and integrate into French society was a matter of ongoing debate in the years 2010 to 2013. Even while Valls firmly stated and restated the idea that the majority of Roma were unable or unwilling to integrate, he also proposed increased enrollment of Roma children in schools and moved to open the categories of employment available to Bulgarians and Romanians. Meanwhile, as debates between cabinet members erupted in public, Francois Hollande was accused of hiding on the issue, with migrant rights associations asking the President to end his silence, saying in an open letter "your public expression is not only waited for, it is indispensable at present. Your silence on these crucial questions has become rapidly incomprehensible" (Secours Catholique 2013). On the opposite side, UMP vice president Laurent Wauquiez called on Hollande to end the public debate between his ministers, suggesting Hollande "singularly lacked the authority on internal debates in his government" (Le Nouvel Obs 2013).

Hollande had two responses: at the National Assembly, he noted there was "no reason to exacerbate" the question of the Roma, and that he judged it was possible to integrate the Roma on the condition they respect the laws of the Republic. Later in the same week he addressed his Council of Ministers at a meeting, noting that the public debate between cabinet members must stop, and upholding the Roma removal policy, noting that it

“scrupulously respected” French values and principles. But the Leonarda affair would soon force him to make a stronger public statement.

This section discussed how the “willingness to integrate” has evolved as an idea and a policy measure under the Sarkozy and Hollande governments, both in general and as applied to a specific ethnic group, the Roma. As an idea, the demonstration of a willingness to integrate emerged from the socio-contractual nature of the republican ideal of membership in the French policy. However, as Joppke and others have pointed out, an obligation to demonstrate willingness to integrate can actually become a tool of exclusion. Under the Sarkozy government, additional criteria have been added to various policy areas to increase the burden of proof for migrants to show their willingness to integrate. As discussed above, employment as a criterion for demonstrating willingness to integrate proved instrumental in the Leonarda affair, as M. Dibrani’s lack of employment and lack of follow through on employment options were one of the key pieces of evidence in the decision to deport him and his family. Further, his lack of willingness to integrate was the central piece in the argument to uphold the legality of the deportation, which was emphasized by Valls and Hollande.

Under Sarkozy and Hollande the question of whether or not the Roma as a group can be integrated has repeatedly been raised. The Roma, singled out amongst groups of migrants, have been associated with criminality and unsanitary conditions in France. Public opinion polls have shown that the French believe the Roma are not well-integrated. Yet, there seems to be a vocal backlash against singling out the Roma as a group for removal from both politicians with the UMP and PS and from migrant rights associations. Notably, both under Sarkozy and Hollande the Roma policy caused splits in the Cabinet. While the

media in particular emphasized the polemical conflicts amongst the cabinets and within parties, President Hollande seemed to want to achieve multiple policy goals at the same time: to balance the goals of being “firm yet humane,” while promoting the goal of integration “when the possibilities and wills exist.” Simultaneously he noted that the Roma were “too often stigmatized, but our citizens are legitimately frustrated, especially where their property and safety are concerned” (Euzen 2013). Even Manuel Valls, who has reiterated multiple times his belief that the majority of Roma are unwilling to integrate, promoted the enrollment of Roma children in school and oversaw the opening of the job market to migrants from Romania and Bulgaria. Far from simply being about restricting migration in all its forms, the discussion here has shown that the Roma removal policy is based about a politics of belonging emphasizing the *willingness* of migrants to integrate. As discussed above, the lack of M. Dibrani’s willingness to integrate was a crucial piece of evidence in the rejection of his appeals to stay in France. Some of the other negative characteristics reported about M. Dibrani also demonstrated “fit” with the overall characterization of the Roma as unwilling to integrate: he had been arrested for burglary, and he and the family allegedly had bad relations with neighbors and kept their home in a state of disrepair. Thus, while it is difficult to say whether the Dibrani family’s Roma ethnicity had any bearing on the individual decision makers’ judgment of their case, it certainly contributed to the polemic of the Leonarda affair and increased the stakes of the debate. Had the President not intervened in the affair, it would have compounded criticism from both the right and the left that he was indecisive and lacked authority. It also likely cemented Valls’ conviction in that whatever decision the President took, the father could not rejoin Leonarda (Le Figaro 2013).

III. The School as “Sanctuary” and vector of integration

If, as discussed in the previous section, the majority of the French public supported the removal of the Dibrani family, what caused thousands of students along with members of unions and civil society associations to demonstrate on behalf of Leonarda? What led Valls, even though he upheld the legality of the expulsion, to echo the idea that “the school should be sanctuarized” and publish an administrative document reiterating that students were not to be removed from a school environment, including school activities? As mentioned in the introduction, the idea of the school as a protected environment and a “vector of integration” was a powerful force in mobilizing civil society actors. In addition, the idea rallied many within the Parti Socialiste, creating a public rift between cabinet members Valls and Minister of Education. This section will explore the ideational background and policy evolution of the school as a “sanctuary,” explaining how this idea became embedded in policy during the Sarkozy era, and eventually became a constraint which led to Hollande inviting Leonarda back to France to finish her studies—an offer which she rejected, due to the fact the invitation was granted solely to her and not to any family members.

The policy of removing minors from schools for the purposes of migration control epitomizes the lack of a clearly defined hierarchy of policy goals, as both the UMP-headed government under Sarkozy and the recent PS government under Hollande have tried to balance the priorities of removing irregular migrants, including failed asylum-seekers, with promoting integration and protecting the school environment as a “sanctuary.” As Bowen (2007) notes, public schools are considered to be “institutions of integration” in France which “increase the capacity of people living within French state boundaries to participate in a national public life” (12). The 20th and 21st centuries have exposed some of the tensions that

arise by trying to turn these goals into policy, particularly when paired with the goals of integration of immigrants.

The removal of irregular migrants including failed asylum seekers has been a priority for recent governments, with Sarkozy setting numerical goals for deportations in his time as Interior Minister under Jacques Chirac and as President. In announcing a new immigration and asylum law in 2006, Sarkozy also set a target for the removal of 25,000 irregular migrants. Throughout the first decade of the 2000s, local mobilizations against the removal of minors from school settings for the purposes of migration control erupted and were coordinated by a centralized network, the Réseau Education Sans Frontieres (RESF). RESF coordinated actions when local actors, usually teachers and parents of classmates of a child who might be deported, mobilized to protest. Yet this mobilization was not solely from the grassroots. As Clotilde Giner (2010) points out, while the overall stance of the French Ministry of the Interior at the time was not necessarily favorable to the cause of children subject to removal, in France the government was not a unified actor in the sense that state-employed educators and social service providers supported the claims of the minors to exemption from removal and/or claims for regularization.

After multiple local protests organized by RESF to prevent the removal of children, Sarkozy's Interior Ministry in 2005 issued a *circulaire* prohibiting the removal of children from school while school was in session (Le Ministre d'état 2005, RESF 2005). As RESF pointed out, however, this new *circulaire* was likely to postpone expulsions during the school year but would still enforce them during the summer months (RESF 2005). Additionally, the Ministry of the Interior granted the regularization of families with children enrolled in school for one year after the family had been present on French territory for two years. Through this

legal change between six and seven thousand people were regularized out of 33000 cases filed (Coroller 2007). Thus, even the Sarkozy regime, known for its restrictive policies and emphasis on distinguishing between migrants who were chosen for various characteristics vs. those who were unwanted, acknowledged a need for humanitarian considerations and the reality that migrant families living in France in an irregular situation could be integrated over time. Sarkozy acknowledged the removal of children who had spent much of their lives in France and perhaps had little connection to their country of origin as “cruel” and argued that the individual cases should be assessed to determine the will of the family to integrate, a policy that was both “firm and humane”—ironically, the language which Hollande would use to describe the Leonarda decision.

Concerning regularization and its connection to school enrollment, Manuel Valls launched a new administrative reform in 2012 which changed the criteria for the regularization of families with children, requiring the family to be present on French territory for five years, and the children to be enrolled in school for three. In order to be regularized the parents would have to demonstrate an elementary knowledge of spoken French. These criteria were aimed at removing differences in how the Sarkozy rules had been interpreted and implied at the prefecture level, which was a common complaint of migrant rights’ associations. By fixing the criteria by which families would be judged, Valls aimed to eliminate the “random and Kafkaesque” method by which applications had been examined under the rules of the Sarkozy circulaire (Nouvel Obs 2013). The Dibrani family attempted to apply for this regularization and was rejected in March 2013, only two months before they would have been present for five years (Huffington Post 2013).

Student activists led by Unef, UNL, and Fidl, student unions, decided to walk out of class and stage a protest beginning at Place de la Nation on October 17th. An estimated 7,000 attended the protest that day, and the tactic quickly spread to other localities around Paris and throughout the country. (See Figure 3.3.)

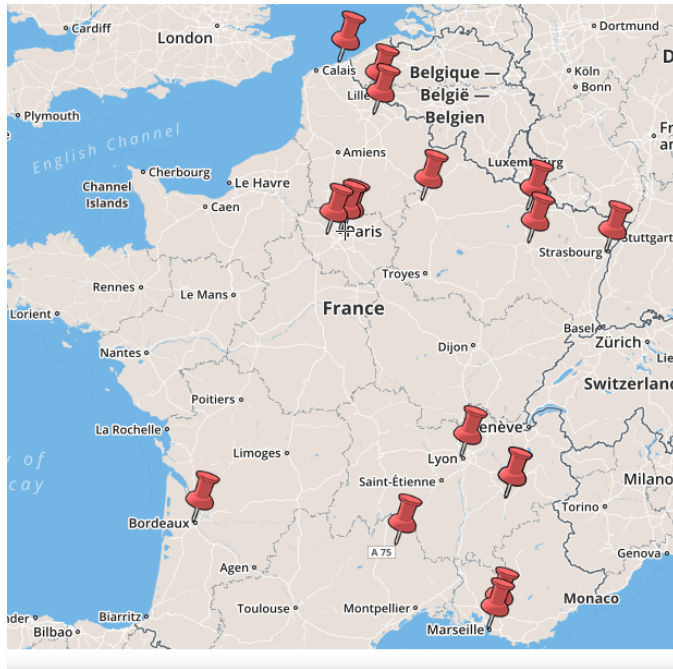


Figure 3.3. Reported demonstrations and school blockades, October 18, 2013 through November 5, 2013. Sources: Huffington Post, Le Figaro, Paris Match. Map created with Scribble Maps.

The protestors called into question the methods of the expulsion and the refusal to recognize Leonarda’s integration. In a statement, Unef denounced the intervention of “the forces of order in the school setting and... the closing of the door to a will to integrate in the Republican” (Unef 2010). A mixture of grassroots activists, student unions, and politicians, including the Minister of Education, called for the postponement of a decision regarding Leonarda’s family, calling for flexibility regarding the application of the law. As discussed, the decision taken to reject M. Dibrani’s request for a residency permit occurred just a few months before the Dibrani family would have been eligible for residency permits because of

their residency on French territory for five years. The activists contrasted the parents' lack of willingness to integrate with Leonard as an individual. Grassroots activists from RESF and Leonarda's teachers confirmed that she, despite frequent absences from school noted in the report, spoke excellent French and had made great strides (Unef 2010). One of Leonarda's elder sisters was also viewed demonstrating a willingness to integrate through her enrollment in vocational degree program (Dugenie 2013). An RESF member pointed out that by choosing to invite Leonarda alone, rather than including her older sister or her younger siblings who were also enrolled in school, Hollande made an "aberrant political decision that displeased everyone" (Le Monde 2013). Further, volunteers who aided the Dibrani family as well as the Parti de Gauche questioned the decision to force a 15 year old to choose between her studies and her family. Numerous news outlets had also followed Leonarda to Kosovo to report on her reaction to Hollande's offer. After hesitating she ultimately decided, "I will not be alone in France, I will not abandon my family. I am not the only one who must go to school, there are also my brothers and sisters" (Spiegel Online 2013).

The "mediatized" nature of the Leonarda case undoubtedly affected the outcome, as Leonarda herself seemed to enjoy the attention of the press and numerous media outlets followed her family back to Kosovo. The drama unfolding in nearly real time, with reporters asking Leonarda to reply immediately to Hollande's proposal to invite her back to France, had the unfortunate side effect of creating the impression that the President of France was negotiating with a teenager (Davet and Lhomme 2016). The media-savvy nature of the teen may have also impacted the mobilization of fellow youth, who spread messages, coordinated demonstrations and blockades of schools, via Twitter and other apps. The rapidity with which the story spread and mobilized people was certainly an example of the ways in which

new media seizes symbols and creates “media bubbles,” as the *Liberation* blog “Com C’est Bizarre” noted (*Liberation* 2013). The media seizing on the matter and the number of high school students in the streets amplified the issue and created pressure for Hollande to respond. However, the fact that Hollande made his proposal on television unnecessarily amplified the spectacle and created a weakness by essentially creating the perception that Hollande and Leonarda were negotiating in public.

Education Minister Vincent Peillon and many of the associations such as RESF called for the “sanctuarization” of schools, pointing to the “principle” established by the Sarkozy circulaire. Peillon noted: “There are the rules of law and then there are the principles which are France” (*Atlantico* 2013). However, the Valls circulaire mentioned nothing in regard to expulsions taking place during school time, nor was the Sarkozy circulaire ever consistently applied, as many media reports and association documents confirmed. For example, just days after Leonarda’s expulsion, an Armenian high school student was expelled during the school year, and his case did not generate the same individual attention from the government (*Le Monde* 2013). Hollande affirmed that protecting schools was a priority, noting in his speech following Leonarda’s detainment that the affair was an opportunity to clarify the law, and that he would call for a new circulaire prohibiting the removal of students not only from school but from school-related activities (France 24).

Thus, by pursuing a political solution which invited Leonarda to return her to her studies, but not her siblings, while further protecting the school environment from migration control activities, Hollande tried to assuage those who mobilized on the left, but a fundamental tension between the policy goals of the promotion of integration through education and the desire to remove migrants in an irregular situation, especially those unwilling to integrate,

remained. The tension between evaluating the cases of families on a case-by-case basis and the strict application of criteria, which themselves might remain open to interpretation (such as “assiduous and serious study” by the student), also remained.

IV. Fraudulent asylum seekers and the “crisis” of the asylum system

Thus far the chapter has explained much of the contingent nature of l’affaire Leonarda: why Hollande intervened; why the case represented a strange mixture of principles in which the expulsion was upheld but Leonarda was invited back alone; and why the new administrative document prohibiting interventions during school activities for the purposes of migration control was one of the key results of Hollande’s intervention. This section will explore in further detail the linkage made by Valls between the Leonarda case and asylum reform and thus the case’s connection to longer term policy goals: how to deal with failed asylum seekers-cum-irregular migrants. Even before the dust had settled on Hollande’s decision, Valls, when asked to defend the expulsion just two days after Hollande’s speech, stated that “nothing would change his course,” and noted that “there was no mistake in the assessment of the administrative situation of these people whose claim for asylum had been rejected seven times, and contained fraudulent documents” (Le Journal du Dimanche 2013).

Valls returned to the idea that it was necessary to accelerate the delays in the asylum process, linking the Leonarda case with his proposed reforms of the asylum system, which the government had been working on for several months. These reforms were based on several key ideas, two which directly invoked the Leonarda case. First, it was possible for the state to ascertain the difference between fraudulent and genuine asylum claim, and the use of fraudulent documents and false statements constituted a reason for the acceleration of procedure. Second, the state needed to accelerate the asylum process since the length of

delays was likely to create situations like that of Leonarda and her family, where people had the time to begin the process of integrating into French society, even without legal status. Indeed, some argued the Leonarda affair would have never occurred had the processes of decision and appeal not taken several years. For example, the head of the National Court for the Right of Asylum, Martine Denis-Linton, argued it was the crisis of the asylum system, its delays, and the uncertainties created by the lengthy appeals process which made the removal of failed asylum seekers (such as the Dibrani) more difficult (Huffington Post 2013). Further, the fact that Mr. Dibrani admitting to using false documents, including a false marriage certificate in his application, and later admitted that his children had not been born in Kosovo as he had claimed earlier but rather in Italy and France, was taken as evidence that he did not have a genuine claim.

Many NGOs and migrant rights' associations, both at the national level and at the European level have asked whether standardized criteria might be proposed for the examination of asylum seekers. Asylum seekers might hold false documents or present false identification for a number of reasons, not all of which should prevent a claim from being judged as genuine. As in the case of the criteria for demonstrating willingness to integrate, the criteria for being a "genuine" refugee might be subject to political considerations, as many migrant rights' associations charged concerning the application of a safe countries of origin list. Further, as a representatives from France terre d'asile and GISTI pointed out, due to the entanglement of migratory flows it has become difficult to sort out the motivations of any one individual, as it is possible that some who come for economic reasons might also qualify as refugees (Interviews 2012, 2013).

Whether or not the proposed reforms can eliminate some of the problems posed by the asylum system, problems which, in the judgment of the government created the Leonarda affair, remains to be seen. Associations in particular worried that the proposed reforms would create a new sense of arbitrariness and fail to protect those in genuine need of asylum (Slate 12.9.2014). Thus, as in the case of the policy goals of promotion of integration, exactly what or who constitutes a genuine refugee, and what conditions would cause the acceptance or refusal of a failed asylum seeker to be granted leave to remain, might at best be imprecise and at worst leave room for conflicting interpretations. Either way, the multiple policy goals contained within asylum policy, to protect the right to seek asylum and to a fair process, while facilitating the swift judgment and removal of unfounded claims, are likely to continue to come into friction as they did in the Leonarda case. Thus, the Leonarda affair was not just about the contingent factors which contributed to the removal of one girl and her family, but was a stand-in for the broader problems facing the French state with respect to irregular migrants and failed asylum seekers.

V. What can we learn from this case?

The eruption of protests and media attention surrounding the Leonarda case may have been unusual due to the confluence of factors described above: the fact that Leonarda's father had exhausted his asylum application and subsequent appeals, admitted providing fraudulent materials, and was, at the conclusion of the government's investigation, judged to be unwilling to integrate meant that the legal reasoning behind the decision was sound. The fact that she was a student detained for expulsion in a school environment tapped into a prior history of mobilization around the expulsion of students and led to successful demands for a sanctuarized school environment. The fact that she was Roma meant that the media linked

this case to controversial statements made by Manuel Valls about the Roma being unable or unwilling to integrate, which linked Leonarda's expulsion to a broader controversy within the government in which Francois Hollande had rarely publicly intervened, thus raising the political stakes for him to act. All of these factors contributed to Hollande's awkward political solution of upholding the legality of the decision while inviting Leonarda alone to return to France to complete her studies, and directing Valls to publish a new circulaire detailing that school activities, including after-school activities and school trips which could be considered an extension of the school environment, should not be subject to migration control. As noted above, the decision made few happy and most media accounts suggested that Hollande's authority was diminished by this attempt at a solution.

While this chapter has now answered why the government faced an inability to construct a coherent policy narrative in this case, it also raises larger questions about the broader tensions between ideas and policies in French migration and asylum policy writ large. For example, the question of whether the enrollment of children in school, as an idealized place of integration, actually confers upon students and their families a right to regularization is something that is dealt with on an individual basis: there is no clear prioritization of the regularization of families simply because they have children in school, but rather the families are evaluated based on criteria demonstrating their willingness to integrate. Thus, far from being a "simple application of the law," the question of whether any individual in an irregular situation should be regularized depends on the interpretation of multiple criteria such as "willingness to integrate," which as section two showed, is subject itself to contestation and to the influence of other policy debates. Further, as the exploration of the "crisis" of the asylum system in France shows, reducing the delays in examining claims may eliminate

some of the situations in which families are in a prolonged period of uncertainty regarding their legal status but at the same time are afforded opportunities to integrate into French society. However, the reduction of delays would still depend on the sorting of claims into either genuine or unfounded, a policy process which some have critiqued as being subject to political considerations and certainly to the potential for arbitrary decision-making. In short, the Leonarda affair highlights the messy nature of migration and asylum policy with its multiple policy goals and the intersecting, and sometimes conflicting, nature of the ideas which undergird those goals.

VI. Conclusion

The expulsion of Leonarda occurred on October 9th, 2013, but “L’affaire Leonarda” had a more lasting impact on French politics. This chapter has explained why: the incident was indicative of the multiple policy goals and ideas which animate French migration and asylum policy. Although many of the same policy goals and ideas were at play in the case of “benefits tourism” in the UK, the French government did not produce a single, coherent policy narrative when it came to the resolution of the Leonarda case. Civil society actors were able to create a compelling alternative narrative centered on *scolarité*, but this was a partial solution that did not protect her from eventual expulsion.

The solution proffered by Hollande was disjointed in that it upheld the application of the law, but essentially offered an exception from the law to Leonarda alone; the second part of the solution was to produce an administrative clarification which protected the school environment from expulsions. The fact that the case attracted so much media attention, that it divided the Cabinet and enhanced the already polemical migration policy debate between the parties, and that it provoked prolonged mobilization from traditionally left constituencies all

further motivated Hollande to intervene. Yet the multiple policy goals and ideas which manifested in the situation had no clear hierarchy, and the decision to intervene in the “crisis” did not resolve these tensions. The linkage of the Leonarda affair to the longer-term policy goal of the reform of the asylum system indicates that the tensions between ideas and policy goals may be extremely difficult to resolve by a “simple application of the law,” as the opening quote by Valls suggested was possible to resolve such situations.

When considering the implications of this case for the dissertation’s broader argument, several points stand out. First, the effective mobilization of tens of thousands of French citizens at the grassroots level, and their alternative narrative based around the idea of *l'école sanctuarisée*. The success of this narrative was enhanced by the episodic nature of the narrative. By focusing on Leonarda’s story, civil society actors were able to hone their message and make a clear demand for change: to overturn Leonarda’s expulsion and more generally, to codify the protection of students from expulsion during the school year.

The mobilization of a narrative around a particular case clearly had an impact on policymakers, as Hollande himself chose to intervene. Politically, Hollande's intervention fell flat, with a drastic drop in his approval ratings following the incident. However, evaluating the impact of this change on policy over the long term is more difficult as the state’s interpretations of Roma migration and failed asylum-seekers as a migration crisis are certainly still operative. How to address the latter perceived crisis of the asylum system invokes contestation over narratives not only about national-level policy changes but European ones, a subject I will turn to in the next chapter.

CHAPTER 4: MORE EUROPE? LESS EUROPE? NO MORE EUROPE? NARRATING DIAGNOSES AND SOLUTIONS TO EUROPE'S MIGRATION CRISIS

“We must not fall prey to nationalist sentiments in these moments. It is precisely now that we need more Europe, not less. We need more than ever before the cohesion and courage that Europe has always shown in the past when it really mattered” - Angela Merkel, October 7, 2015

"The EU should show solidarity, rather than questioning one of the pillars of the EU. If the EU steps backs in relation to free movement of people, it will mean its end." - Ignazio Corrao, Italian Member of the European Parliament, LIBE committee

“Between the scepticism of the pessimists on the one hand, and the Euro-enthusiasm on the other there is ample room for "real optimism". Critical diagnosis must be at its source. We need to do everything not to let it degenerate into a blame game, so futile and so typical of recent years, or a bidding competition for best-sounding slogans, such as "better Europe", "less Europe" or "more Europe". After all, someone might eventually cut it short with "no more Europe".” -Donald Tusk, September 13, 2016

I. Introduction

For several years now the Mediterranean Sea has been the site of a humanitarian disaster: tens of thousands of asylum-seekers and migrants have drowned trying to make it to Europe. An ongoing series of tragic events since a boat capsized and over 300 people drowned off the Italian island of Lampedusa in 2013 have heightened the sense of a permanent crisis. Indeed, in a 2016 speech at the UN, former EU Council President Donald Tusk described the “migration crisis” as “never-ending,” requiring “tenuous, perpetual, and multi-dimensional effort” (*Speech On Migrants And Refugees By President Tusk* 2016). There was widespread agreement from EU member state leaders that a crisis was occurring, but there seemed to be a lack of consensus on what the crisis was an example of, and how to best reform existing EU policies and create new institutions as solutions.

Alongside the efforts to combat the sense of permanent crisis, a new episode of a migration crisis unfolded in 2015 as over 800,000 asylum seekers streamed into Greece and tried to move overland to westward destinations, particularly Germany and Sweden (IOM

2016). This so-called "secondary movement" of asylum seekers, when an asylum seeker migrates to another EU member state than the one where they entered EU territory, is considered problematic from the point of view of member states because it infringes on what is seen as the sovereign prerogative of determining asylum applications. Further, secondary movement is a violation of existing EU policy—the "Dublin" rules, which will be discussed further below. Nonetheless, secondary movement happens often. How to prevent this movement, or to deal with it when it happens, is a policy problem which has vexed the EU for some time. For example, as referenced in the opening chapter, the gathering of thousands of asylum seekers in camps in Calais near the English Channel was the result of secondary movements. Technically, these asylum seekers were supposed to be returned to their state of first entry, but in many cases it is difficult to establish proof that someone entered in a particular location, especially because most asylum seekers enter the EU by irregular means (Garlick 2016).

It is also the case that states may not be able to return asylum seekers to the first country of entry due to failure to meet minimum standards of protection. Since the European Court of Human Rights had already ruled in 2011 that Greece did not have a functioning asylum system that met European standards, this exacerbated the crisis, as accommodations and resources for processing newcomers were inadequate. Further, since the multitude of people entering did not plan to stay in Greece, but wanted to move on to other destinations, this exposed flaws in two key institutions of the EU border regime: the Schengen area and the Dublin Convention.

The Schengen Area is an area without internal borders, and the Dublin Convention governs the process by which asylum seekers should be registered upon entering EU

territory. Schengen was originally agreed upon via an intergovernmental agreement in 1985. The agreement was subsequently expanded as member states sought to institutionalize an area of free movement without internal border checks. While agreeing upon the desire to remove border checks to facilitate the free movement of people, member states wanted to protect themselves from the unintended consequence of enabling the "secondary movement" of asylum seekers-- i.e. movement from their point of entry in the European territory to another destination. A 1999 Commission document specified that "common minimum standards have a role to play in preventing secondary migration of asylum applicants between Member States" (Commission 1999, p. 6). The phenomenon known as "asylum shopping," or, the movement of asylum seekers around Europe to find a country that would grant them protection, was a concern of many member states in the 1990s (Commission 2000). The Dublin Convention codified the practice that states could return asylum seekers to their first country of entry, and that country would be responsible for processing the asylum claim.

In theory, the proper function of these systems would prevent asylum seekers from moving past the country where they entered EU territory. When Dublin was originally arranged as an intergovernmental agreement, it arguably was to the benefit of countries in the north of Europe who could ship unwanted asylum seekers back to countries in the South. Yet from the Arab Spring onwards, countries on the exterior borders of the EU faced the pressure of large flows of migrants. Some states, like Greece, were severely overwhelmed and simply unable to process the claims adequately. Other states like Italy and Hungary have turned the tables on the countries in the North by either deliberately or unintentionally allowing the migrants to pass through, effectively gutting the Dublin agreement. In turn, member states

have suspended the Schengen agreement, re-introducing national borders. Some, such as the Visegrad states, Poland, Hungary, Slovakia, and the Czech Republic, have also either engaged in foot-dragging or outright refused to cooperate in European-level schemes to address the crisis, such as a mandatory quota system for the relocation and resettlement of asylum seekers.

The magnitude of recent migration flows to Europe, the breakdown of the Schengen and Dublin agreements, and the EU's subsequent struggle to find a response demonstrate the importance of competition over policy narratives, through which policymakers adopt diagnoses of "crises" and offer solutions. To recall the dissertation's main argument, political actors use "migration crisis" as a narrative mechanism by which actors reinterpret a particular migration episode as a challenge to existing institutions and national identity. Examining the EU-level policy debates on how to handle the recent "migration crisis" episode makes three contributions to this argument. First, it addresses how narratives of migration crisis unfold in two temporalities: short- and medium-term, which require relatively quick and focused policy interventions to restore order, and the longer term, which requires reflection on the direction of the European project as a whole. Second, it puts the multi-level process of contestation over migration policy narratives front and center. With numerous member states facing rising popular support for anti-immigration and Euroskeptic parties, heads of state have both proactively and reactively challenged EU policies and proposed reforms through a narrative of sovereignty and national discretion vis-à-vis EU initiatives. Third, it again highlights the "episodic" nature of migration crisis as events played a key role in creating momentum for policy change.

Several policy goals shared by the member states come into conflict during "migration crisis." On the one hand, states wish to balance their desire to protect their perceived sovereign prerogatives—in this case, the desire to determine asylum claims nationally and to retain the right to rejected unwanted migrants. On the other hand, states want to further European cooperation, at least to the extent it supports them in the first goal. Yet European cooperation requires some kind of sharing mechanism between states, in order to more equitably distribute the burden of the asylum process and prevent unwanted secondary movements. States view these goals through different lenses of national identities and interests. The task of European-level policymakers (both heads of state and policymakers in the European institutions) is to forge policies and institutions that take these national identities and concerns seriously but still move beyond the status quo.

I argue that the recent debates over quotas to redistribute asylum-seekers can be viewed as a microcosm of this process by which states attempt to stake out different national claims and the EU-level policymaking process adapts. The debate over quota systems is important because if enacted it would represent a significant change to what states consider a sovereign prerogative. There is some evidence that indicates that the majority of states agree that the "migration crisis" has made the status quo untenable. Further, though the quota system has been challenged in a number of ways, these debates generate narratives that are used to challenge the existing configuration of relations between member states and the EU. In particular, I consider how the “fairness and solidarity” narrative put forward by Angela Merkel when the quota system was initially adopted has been challenged by the Visegrad group (Hungary, the Czech Republic, Slovakia, and Poland) in populist and nationalist terms and why an alternative narrative of “flexible solidarity” was put forward. The shift to

“flexible solidarity” was a surprise, I argue, because the Visegrad-led opposition to the quota mechanism all but killed it in practice. Yet, due to Brexit, Visegrad states saw an opportunity to reassert their relationship to the European Union and reiterate the importance of EU-level cooperation. What this will mean in terms of policy going forward is debated, as critics say Visegrad’s overtures are either mere lip service, or an attempt to ground new policy reforms in an intergovernmentalist logic (in order to preserve national sovereignty). Nevertheless, debates over narratives altered the trajectory of policymaking and altered the ways in which states defined their interests in European-level policies to address the crisis.

Policy debate in focus: narrative of solidarity and the quota mechanism		
Key Actors	Narratives	Policy Solutions (proposed)
France and Germany	“Fairness and solidarity,” “restoring order,” “moral obligation,” “duty,” “more Europe”	Germany: temporary and permanent mandatory relocation schemes under quota system; France initially objects to mandatory nature but then supports
Visegrad group (Fall 2015 – Summer 2016)	“Preserving the voluntary nature of quotas,” “mandatory quotas infringe on sovereignty,” populist and nationalist narratives	Rejects quotas
Visegrad group (Summer 2016 onward)	“Flexible solidarity”/ “Effective solidarity”	Voluntary scheme with relocation as one option; different sub-policies depending on number and “sudden” quality of inflows

Figure 4.1. Competing narratives in proposing solutions to the refugee crisis

II. The evolution of “common” policies in asylum

As early as 1999, the Commission proposed movement toward a common European asylum policy, a priority also confirmed by the European Council at Tampere in 1999.

Preventing “secondary movements” of asylum seekers, or asylum shopping, had been the driving motivation behind the intergovernmental agreement known as the Dublin Convention

in 1990. Abuse of the asylum system was a primary concern, with “bogus” asylum seekers, or economic migrants posing as refugees, becoming a political priority in several EU member states in the late 1980s and early 1990s. In the 1986 Conclusions of the European Council Presidency it was noted: “asylum should not be granted for economic and financial reasons and that steps must be taken to counter abuse.” Ministers were invited to “concert action with a view to ensuring that the right of asylum is not abused” (European Council 1986). Likewise, it was considered that determining the state responsible for examining applications for asylum was part of a series “necessary to ensure the free movement of people” (European Council 1990). The goals of respecting the right to asylum while at the same time combatting “illegal immigration” have always been in precarious balance with respect to the development of a common European asylum and migration policy. As the Commission noted in a 2003 communication, a “balanced and interlinked approach” has been taken with respect to the relationship between immigration and asylum issues (2003).

How to further the goal of creating a truly common asylum policy in which all European member states approximate their standards and procedures for granting asylum has proved to be a thorny issue because member states closely guard their ability to decide asylum applications as an indicator of their sovereign status. As interviewees in France with knowledge of OFPRA, the French asylum agency, and European affairs told me, the question of how to determine asylum applications was closely related to national culture with respect to the law. Because individual countries had developed different legal and administrative procedures for determining asylum applications, approximating these standards required difficult and time consuming legal and organizational change (interviews December 2013, January 2014).

In addition to the problems of harmonizing the determination of applications, the question of different national experiences in migration flows and the number of asylum applicants was a matter of continual debate. Some member states saw themselves as carrying a disproportionate burden with respect to asylum claims, particularly Western European countries like the UK, France, Germany, Austria, and the Netherlands. It is certainly true that some states such as Spain and Portugal, and most eastern European member states consistently received relatively few applications. Fluctuations in the actual number of asylum claims, and the ratio of asylum claims in proportion to the state's population and to the number of claims in other member states, varied greatly through the years. For example, France received 16.3% of all asylum applications in the EU in 2008, but 5.4% in 2015. The Netherlands received 5.9% of all asylum applications in the EU in 2008, and 3.2% in 2015 (Migration Policy Institute 2016). In smaller countries (population-wise), like Austria and Sweden, the ratio of asylum applications per 1,000 residents was much higher in more populous countries like France and Germany (Ibid.). Yet, popular perceptions of the relative burden of asylum claims do not always match the data, as Thielemann (2004) has demonstrated. As the current refugee crisis demonstrates, perceptions of a burden with respect to asylum are colored by narratives of national identity, ideas of fairness, and concerns about security and integration. How to develop the idea of burden-sharing has long been a question on the European political agenda. As far back as 1992, Germany proposed a distribution key for the redistribution of asylum seekers with the UK in particular being strongly opposed (Thielemann 2004). Many states have argued that financial contributions towards states physically hosting refugees would be a type of acceptable burden sharing, an

idea which came back into fashion via the Visegrad group in the most recent crisis, as will be discussed below.

III. The context of a broader European “crisis” and rising Euroskepticism and nationalism

In addition to the context of contestation over policy developments in the realm of asylum, one cannot make sense of the current crisis without understanding a background of rising Euroskepticism and nationalism. As mentioned in Chapter 1, the rejection of the Constitutional Treaty in 2005 by France and the Netherlands was one indicator of a growing sense of popular Euroskepticism in Europe. Another is the rising support for Euroskeptic parties across the EU—in this sense, Ukip is far from unique. Euroskeptic parties have gained in support across the Union, in historically pro-European integration states like France, and in newer member states like Hungary and Poland (See Figure 4.2 below).

Selected results, European Parliament elections 2014		
Right-wing anti-immigration Euroskeptic parties		
	Percentage of vote%	Change in support from 2009
FPÖ <i>Freedom Party of Austria</i>	19.7	7
DF <i>Danish People’s Party</i>	26.6	11.8
FN <i>National Front (France)</i>	24.9	18.6
Jobbik <i>(Hungary)</i>	14.7	-0.1
PVV <i>Party for Freedom(the Netherlands)</i>	13.3	-3.7
PiS <i>Law and Justice (Poland)</i>	31.8	4.4

Figure 4.2. European Parliament Election Results, 2014. Source: European Parliament, 2014.

Many have argued that Euroskepticism has deepened in response to the financial crisis, with the EU seen as responsible for economic policy changes such as austerity measures which cut spending (Hobolt and De Vries 2016). Nicoli (2016) in particular has argued that a “legitimacy crisis” for the EU is linked to the economic crisis. In particular,

many attributed the gains to Euroskeptic parties in the 2014 elections as a reaction to the EU's policies dealing with the financial crisis. However, Euroskepticism is not limited to opposition to financial policies, but encompasses opposition to other specific policies as well, in addition to a broader sense of the illegitimacy of the idea of European integration as a whole, the latter of which might be labeled a "hard Euroskepticism" (Szczerbiak and Taggart 2008). Tracing the debate over the current refugee crisis is a way of assessing how the notion of "migration crisis" might be tied to Euroskepticism. In particular, opposition to a quota for redistribution of asylum seekers mimicked many of the same narrative themes from Euroskeptic parties including intrusions into member state sovereignty and the imposition of unwanted and potentially dangerous immigration (both in terms of culture and security) from Brussels. Thus, the current refugee crisis has the potential to mobilize Euroskepticism on both ethnonationalist and sovereign lines. Indeed, the European Parliament Group Europe of Nations and Freedom (ENF), which includes France's Front National (FN), the Netherlands' Party for Freedom (PVV), and Italy's Liga Nord (LN), and four others, have suggested the refugee crisis is on one hand a positive since it will facilitate the end of Schengen, and on the other hand, indicative of the Islamic threat to Europe represented by immigrants and refugees. Geert Wilders, leader of the PVV, has argued, "together will fight mass immigration and the Islamisation of our continent. We want to once again be masters of our laws, of our own money, of our own country and this is what we are fighting for" (Willsher 2015). Policymakers seeking to construct narratives of European solutions to the crisis must differentiate themselves by responding to these concerns.

IV. Crisis in the Mediterranean

The need for some sort of redistribution mechanism to move refugees from states at the external borders of Europe had been recognized long before the summer of 2015. The number of migrant deaths in the Mediterranean reached a tragic new high in April 2015 when a single boat carrying 800 people from Libya to Italy capsized. For the month of April 2015 alone 1,222 migrants lost their lives trying to make it to Europe. This appalling situation spurred the EU leaders to a consensus that something must be done, and an emergency meeting followed between the Commission and the Interior Ministers of the EU member states. In what followed, the Commission, European Council and European Parliament agreed on a ten point plan “in response to the crisis situation in the Mediterranean” (European Commission 2015a). One of those 10 points was the need to consider an emergency relocation mechanism, which was then fleshed out to an agreement to relocate 40,000 asylum seekers from Greece and Italy. This plan, introduced in the European Agenda on Migration in May 2015, included a distribution key that would allocate each country a proportion of the asylum seekers based on population size, GDP, employment rate, and average number of asylum applications and resettled refugees. This temporary quota system was “a precursor to a lasting solution,” according to the Commission’s European Agenda on Migration. “The EU needs a permanent system for sharing the responsibility for large numbers of refugees and asylum seekers among Member States” (European Commission 2015b).

In EU policymaking terms, the approval of the European Agenda on Migration was relatively swift. However, when it came time to discuss plans to implement the redistribution quotas, a resistance emerged. The debates seemed to break down along three lines:

sovereignty, religion, and the mandatory vs. voluntary nature of the scheme. France, which had initially been in favor of the proposal, then hedged saying the proposal “should stop short of a fixed quota system” (Euractiv 2015). Objections from Poland and Slovakia centered on their unwillingness to accept Muslim refugees. Austria refused outright to make any commitment to take in refugees under the scheme, and Hungary’s Prime Minister Viktor Orban was the most vocal critic, lambasting the plan for infringing on national sovereignty.

As the details of the quota were being debated, over the summer of 2015 the migration flows began to shift away from the Libya-Italy route to Turkey-Greece (See figure 4.2). In Syria, a Russian bombing campaign began in the summer of 2015. In addition, news had spread in Syria and the surrounding countries that Hungary was building a fence at the border that would be completed in September (Der Spiegel 8.2016). Many asylum seekers decided it could be their last chance to try to reach Europe.

Arrivals by month in Greece

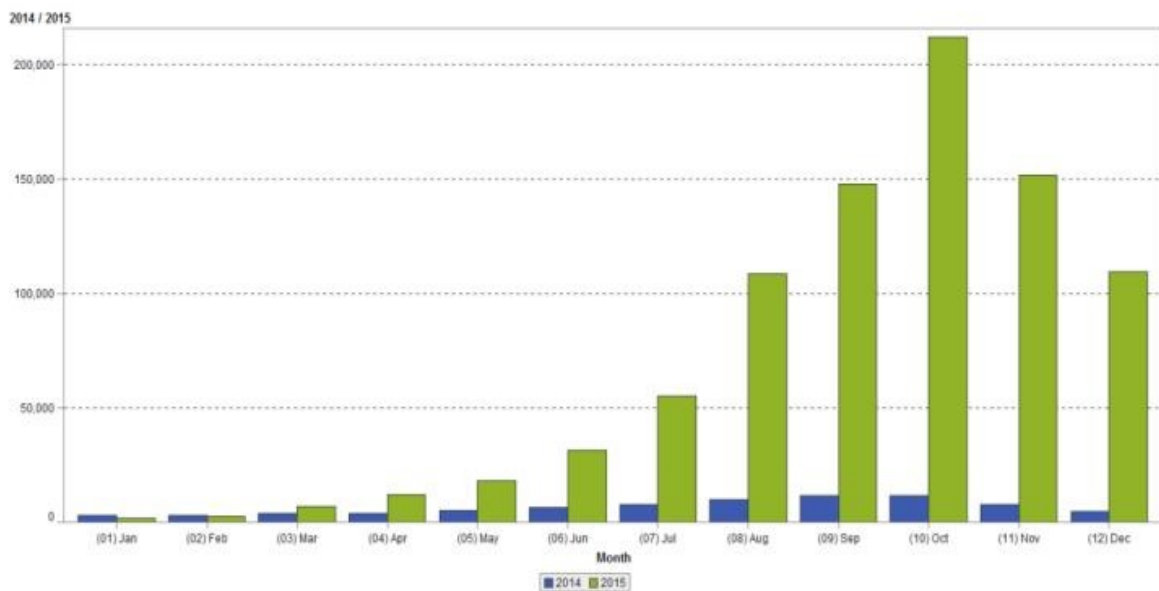


Figure 4.3. Comparison of 2014 to 2015 Arrivals to Greece by Month. International Organization for Migration (2016).

The majority of arrivals in 2015 to Greece, especially in the particularly intense months of August through October, were from Syria (IOM 2016). The perilous journey to Europe claimed the lives of hundreds of asylum seekers during those months, including several children. The still largely hypothetical quota system had not yet gotten off the ground and the EU had not assured any assistance to Greece beyond technical and financial aid. How would the EU move the redistribution mechanism forward?

III. A New Tragic Episode and a New Narrative

As increasing numbers of asylum seekers flowed into Hungary in August, Orban stepped up his rhetoric regarding the refugees, suggesting that the redistribution mechanism, which had yet to take effect, was acting as a pull factor, and calling the crisis a “German problem” since most of the refugees wanted to go to Germany (DeutscheWelle 2016). In late August, over the objections of some within her own government, Merkel decided to unilaterally declare that Germany would suspend Dublin transfers for Syrian refugees; thus, any Syrian refugee who made it to Germany would not be returned to the first country where they entered the EU (der Spiegel 2016). As much as this may have been motivated by the desire to help the asylum-seekers, it was also a strong symbolic move aimed at repudiating the far-right in Germany who had launched violently protested against a refugee center in East Germany where the first relocated asylum seekers were going to be housed (ibid). Merkel had been slow to react to the far-right mobilization and faced criticism from a majority refugee-friendly public. Further, Merkel was determined to see the quota mechanism implemented and the Dublin rules replaced. In order to achieve these goals, she

would need to rally support in Europe and persuade other countries to share more of the burden. She and French president Francois Hollande held a joint meeting in Berlin to try to launch the asylum reform project anew.

Just over a week after Merkel's announcement that Dublin was suspended, the tragic death a three-year-old Syrian boy named Alan Kurdi galvanized public attention toward the issue and increased the sense of urgency that further reforms were needed to address the crisis. The shocking image of the boy's lifeless body on the shores of Turkey after a failed Mediterranean crossing circulated on social media and in newspapers across Europe. The image had a dramatic impact on public opinion. It also impacted European leaders' opinions and provided momentum to Angela Merkel's attempt to garner support for a redistribution mechanism through a new narrative of Europe's "moral responsibility" to refugees. EU leaders in Spain and France upped the numbers of refugees they would accept in the relocation scheme in the wake of Kurdi's death. French Prime Minister Valls retweeted the image with the message: "He had a name: Aylan Kurdi. Urgent action required — a Europe-wide mobilization is urgent" (Tharoor 2015). UK Prime Minister David Cameron mentioned the image of Kurdi directly when announcing the UK would accept 4,000/year to be relocated, even though the UK was not formally committed to the relocation scheme. Likewise, Irish Prime Minister Edna Kenny voluntarily committed Ireland to the relocation scheme as well, noting:

Is there anybody on the planet who could not be moved by what they saw in the papers - anybody with a sense of humanity - who saw the body of a young boy washed up on a beach like driftwood? This is a human catastrophe. (ibid.)

Francois Hollande, who had previously tried to support the proposal while refraining from calling it a quota due to French concerns about sovereignty, took a more pro-active

position in support of a permanent, mandatory system: ““Everyone must understand: you can't ask for solidarity when there's a problem and then exempt yourself from doing your duty when there is a solution," he said (Pineau 2015).

With momentum behind the idea for a relocation mechanism, the Commission quickly took initiative and proposed an increase in the temporary relocation mechanism from 40,000 to 160,000, and a permanent relocation mechanism based on the quota system which had been introduced in May. The temporary plan was quickly adopted by qualified majority vote in the Council. Slovakia, Hungary, Romania, and the Czech Republic voted against the deal, but EU law did not require unanimity.

Despite this group of objectors to the quota system, a Franco-German narrative began to cohere around themes of “more Europe” and solidarity grounded in the notions of moral responsibility and duty. In each country, this narrative reflected domestic concerns and national ideas about identity and government responsibilities. The Franco-German solidarity narrative was also explicitly tied to an argument for greater European integration, or “more Europe.” Striking a united front, Hollande and Merkel jointly gave a speech at the European Parliament. Hollande noted: "We need not less Europe but more Europe. Europe must affirm itself; otherwise we will see the end of Europe, our demise” (France24 2015).

Even after the tragic terrorist attacks in Paris in November, both Prime Minister Valls and President Hollande reiterated France’s commitment to accept refugees as part of the scheme. Hollande noted “the duty of humanity towards the refugees goes hand in hand with the duty to protect the French people” (Maurice 2015). Angela Merkel most strongly staked out an argument that solidarity was part of a newly reconfigured German identity. In her

year-end address to the nation, she noted that “our solidarity” would be the most important thing in the coming year.

It is important that we not let ourselves be divided - not into generations, not into social groups, and not into those that are already here and those that are new citizens.... [People should not follow] ...those with coldness, or even hate in their hearts, and who claim the right to be called German for themselves alone and seek to marginalize others... We can do it, because Germany is a strong nation. (DeutscheWelle 2015)

In contrast to the Franco-German narrative, the objecting states led by Slovakia and Hungary, developed a narrative of the relocation mechanism as endangering “Europe’s cultural identity,” and attracting more unwanted migrants, whom they characterized as illegal immigrants and potential terrorists. This is somewhat remarkable given the fact that according to a 2009 survey conducted by Gallup for the EU, Hungary and Slovakia were included amongst the group of countries who placed little emphasis on the importance of cultural and religious issues with regard to future EU enlargements—when Turkey and Albania, predominately Muslim countries, were two EU candidate states (Gallup 2009). In Hungary, however, the 2009 European Parliament also marked the first electoral breakthrough of Jobbik, the ultranationalist Euroskeptic party. Jobbik also increased its share of seats in the Hungarian Parliament in 2010, which Orban’s party Fidesz won while sharing a list with the Christian Democratic People’s Party. Thus, three of the major political parties in Hungary adopted some form of Euroskepticism. Following the attacks in Paris, Hungarian PM Viktor Orban gave a major speech offering “condolence” to the French and then jumping at the invitation to criticize the EU. It is worth quoting at length:

In the light of what has happened, we must also speak about the issue of compulsory resettlement quotas. It is still the case that, from somewhere outside Hungary, people want to tell us Hungarians who we should live alongside...I propose to the Honourable House that we continue to reject the quotas, and continue to insist that we

ourselves should decide whom we want to let in and whom we want to live together with. Mandatory resettlement quotas are quite simply not Europe: they are a complete contradiction of the spirit of Europe. They are pointless, because they do not resolve the crisis, but aggravate it. It is clear that mandatory resettlement quotas do not keep migrants away, but are more of an invitation for them. They do not reduce pressure, but add to it – and the rapidly escalating pressure will cause European countries to reinstate their borders within the EU. Such a scenario is just a question of time if things continue as they have done, and this could mean the end of the Schengen system and of free movement. (Hungarian Free Press 2015)

It is interesting to note Orban, Hollande, and Merkel share some of the same professed policy goals, including security and the preservation of Schengen and free movement. Yet they employ drastically different narratives and propose such drastically different policy solutions. The two camps remained far apart, as Slovakia and Hungary mounted legal challenges to the relocation scheme. Orban also promised that Hungary would hold a referendum on the issue. 98% of those voting in the referendum voted against the quotas; however, turnout was so low that the result of the quota was not binding. A survey by the Bertelsmann foundation conducted in February 2016 also found that new member states (from the 2004 and 2007 enlargement) also had a slim majority of support for the idea of burden-sharing, at 54%, so the degree to which a majority of Hungarians actually agreed with Orban's position on the quotas was unclear. What was clear from the poll was that 85% of respondents from new member states supported the idea of free movement. Thus, the assumption that voters' restrictive preferences were driving policymakers' responses seemed to be undermined (de Vries and Hoffman 2016).

While opposition and logistical challenges led to the scheme dramatically falling behind in meeting its targets. It seemed that Visegrad's opposition and other states' reluctance had been enough to grind the scheme to a halt, and pro-quota actors like European Parliament President Martin Schulz were quick to point a finger at the "Eastern bloc" for not

cooperating. A group of pro-quota countries led by Germany decided to meet separately to try to move the mechanism forward on a voluntary basis, effectively isolating the Visegrad countries by excluding them from the discussion. By April 2016, the Polish minister for EU Affairs declared: "This decision is dead. It was not being implemented from the very beginning and nothing points to the fact that the majority of EU countries would implement it" (Reuters 2016).

Given the wide gap between pro-quota and anti-quota proponents, and the failure to get the program off the ground, it would not be surprising if the story ended there, with another failure of the European Union to address the migration crisis and a deepening mistrust between “West” and “East.” However, the story does not end there. The EU has continued to make reforms that address deficiencies that made the quota system difficult to implement, specifically through use of its “hotspots” program to provide resources and personnel in selected areas at the border to facilitate the registration and processing of asylum applications. Surprisingly, there has also been movement in the position of the Visegrad group toward a new narrative of “flexible solidarity.” Why would they adopt this narrative, moving closer to the Franco-German narrative, considering they had achieved their goal of stopping the quota system from functioning? I turn to this puzzle in the next section.

IV. Flexible Solidarity Explained

In September 2016 the EU heads of state held an informal meeting in Bratislava. The Visegrad group published their own statement “assessing the current state of the EU” and naming priorities “where our citizens expect us to deliver” (Visegrad Group 2016). In the section on migration, Visegrad introduces a new concept: “flexible solidarity.” The statement reads: “Migration policy should be based on the principle of the “flexible solidarity”. This

concept should enable Member States to decide on specific forms of contribution taking into account their experience and potential. Furthermore any distribution mechanism should be voluntary” (ibid).

The proposal seemed to catch the rest of the EU member states by surprise. They expressed cautious optimism, tempered by skepticism that the Visegrad states had moved closer to their position because they wanted to find a common solution (Vimont 2016). On the other side, Angela Merkel acknowledged that the mandatory quota system had all but failed, and that some sort of voluntary scheme would be needed to replace it. Why did this narrative emerge, seemingly from out of nowhere, and what would it mean for the quota system going forward?

The context of the Bratislava summit is especially important for two reasons: first, Slovakia assumed the rotating presidency of the EU Council from July through December 2016, and seemed to take its leadership role seriously in that it wanted to offer an olive branch to the Franco-German coalition. Second and perhaps more importantly, it was the first summit post-Brexit. Far from inspiring other Euroskeptic states to follow suit, it seems that, at least in narrative terms, Brexit pushed the remaining EU-27 closer together. The Visegrad statement called for its members to “uphold the unity and resolve of the 27 Member States and, *within the framework of the EU*, seek for the best solutions in the interest of our citizens” (Visegrad Group 2016, italics added). Both sides of the debate, pro and against quota, seemed to agree that further isolation from each other did not bring the EU closer to solving the challenges it faced. But what did flexible solidarity mean in practice? The document specified very little. It seemed as though the narrative was meant to act as a bridge toward the pro-quota states to get them into dialogue with each other again.

Critics suggested that flexible solidarity was a contradiction in terms that would effectively gut the notion of meaningful burden-sharing that alleviated pressures on states such as Greece and Italy. During their visit to Bratislava the EU leaders got a look at what “flexible solidarity” might mean in practice as they received a tour of a refugee camp at Gabčíkovo jointly funded and operated by Slovakia and Austria. Essentially, Slovakia provided accommodation for asylum seekers while they waited to have their asylum applications processed by Austria. Given that Austria ran out of space to house asylum seekers, the practical arrangement helped process 500 people, all of whom ended up receiving asylum (Gotev 2016). Critics argue that voluntary schemes, whether those focused on monetary donations, operational and technical support, or bilateral cooperation would not go far enough to provide help in a truly large scale emergency situation. Further, because “flexible solidarity” would not alter the Dublin system it would shift the burden of responsibility back to those states of first entry rather than burden sharing. Since this has in practice ended up being an “asymmetric burden,” it is unlikely that voluntary aid in the form of money or border guards would represent a true reform to alleviate the asymmetry (de Bruckyer and Tsourdi 2016).

In short, critics have argued “flexible solidarity” would be a return to de facto intergovernmentalism. Given the fact that it doesn’t really change anything in terms of policy, can we say that this narrative made any difference? The answer is yes: at the level of symbolic politics, the narrative provides ideational material for future reforms. In the spring of 2016, Merkel had remained committed to the quotas, so much so that she had gathered a group of interested states and had a number of meetings on migration policy effectively removing the Visegrad group from the equation. Yet, even within this committed group the

mandatory quota scheme failed and the temporary one did not achieve anywhere near its goals. It would be politically costly to acknowledge the failure of the quotas without the Visegrad group involved. Visegrad's proposal was aimed at getting the sides together again and getting Merkel to publicly acknowledge the mandatory quota would not work. After the summit, Merkel conceded some level of flexibility was needed and said the Visegrad proposal was "positive" (EUObserver 2016). In his 2016 State of the Union address, Juncker stated “solidarity must be given voluntarily. It must come from the heart. It cannot be forced” (Juncker 9.14.16). European Parliament President Martin Schulz who had been the most vocal and harsh critic of Visegrad for obstructing the quotas also publicly acknowledged that quotas were not working and new proposals would be needed to address the crisis. For better or worse, this represents a significant shift in the position of the pro-quota side in that it is admission that new policies will have to be voluntary.

V. New narratives, old policies?

Beyond the narrative of flexible solidarity, how will the EU continue to reform to prevent further migration crises? Even prior to the shift in relations between Visegrad and the other member states on migration issues, the EU had moved ahead on overhauling Dublin for the fourth time. Yet the proposed changes did not really represent any fundamental shift in understanding of how responsibility would be allocated, as during “normal” times the first country of entry would still be responsible for processing the claim (de Bruycker and Tsourdi 2016). Disappointingly for migrant rights’ groups, Dublin IV would also add sanctions and punitive measures to require asylum seekers to stay in their first country of entry. Many NGOs criticized the policy as “one step forward and ten steps back” and the “urbanization” of EU asylum law (Progin-Theuerkauf 2016).

The one potential bright spot in the eyes of migrant rights' groups is that Dublin IV would also have a "corrective fairness mechanism" triggered in time of crisis. As explained by Rebecca Hughes (2016), the mechanism comes into effect if a country receives one hundred and fifty percent more than its annual "fair share" (determined based on country size and population) of applicants. Should this threshold be met, asylum seekers would then be distributed to other countries. States that did not participate would be subject to a fine of €250,000 per migrant, in order to fund relocating the refugee elsewhere (Hughes 2016). This latter proposal seems likely to be challenged in the ongoing legislative debates. The paradox is, however, that "the proposal admits from the outset that the Dublin Regulation will in principle lead to distribution inequalities in practice; hence the need for a corrective mechanism to mitigate cases of disproportionate pressure on some countries" (ECRE 2016). Put more bluntly by the collective of migrant rights and human rights organizations ProAsyl, "the new "fairness mechanism" will not fundamentally change anything" (2016).

Though Dublin IV has its share of problems in that it will likely not advance the status quo in terms of solidarity and burden-sharing, situating this proposal alongside the full package of EU-level reforms, one can see advances in the EU-level oversight and coordination of migration and asylum policy. The recent proposal tabled by the Commission for a European Union Asylum Agency would represent a huge step towards solidarity. Recall that in the initial stages of debate over the quota mechanism, France's hesitation was due to the fact that deciding who is a refugee is a sovereign prerogative. The proposed asylum agency would be granted oversight to ensure correct implementation of operational standards on asylum (i.e., already in force legislation aiming to harmonize asylum procedures, reception conditions, and qualification standards). Further, during times of "disproportionate

pressure” on a member state when no action is taken at the national level, this agency could step in. Since this proposed legislation is in its early stages, it will surely be deeply contested as to the role the EU will take in this long sacrosanct area. Indeed, it is likely that unless the member states agree to further approximate their asylum systems, the problems which the migrant crisis revealed regarding Dublin and burden-sharing are likely to persist.

Vi. More Europe? Less Europe?

One of the consequences of the debates over asylum quotas has been a re-articulation of a commitment to the European project by the Visegrad group. Critics will allege that this pledge was meaningless, but the recognition from both sides of the quota debate that splitting into separate groups to pursue migration policy reforms will not work in the long run may be significant. Elsewhere I have argued (with Nicolas Jabko) that the European Border Guard represents a shift in understanding that the status quo of individual state responsibility for its borders—once a *sine qua non* of sovereignty—is no longer sustainable. The same might eventually be said of the practice of returning asylum seekers to their first country of entry, a practice that is bound to create an “asymmetric burden” on those states at the external borders, but right now the EU seems to be in a holding pattern. The remaining EU-27 seem to have agreed that “less Europe,” or “no more Europe,” are not the answer, but what form “more Europe” will take continues to be deeply contested.

Though the harsh criticisms of the narrative of “flexible” solidarity as an attempt to shirk any meaningful burden-sharing likely have some validity, the question is what the temporary embrace of this narrative offered for the EU member states. I argue it is an example of the narrative process EU policymakers use to move beyond policies that are not working while simultaneously preserving agreement that the policy solution must come from

within the European Union. In the wake of Brexit, this latter commitment became more important. Member states have recommitted to the idea that a long-term solution to the problem of secondary movements cannot just be the closing of borders and the dismantling of Schengen, but should preserve the European project.

In many respects, this situation mirrors Jones et al.'s description of EU economic crisis policymaking as "failing forward" (Jones, Kelemen, and Meunier 2016). In the case of the economic crisis, states' general agreement that whatever its shortcomings, they were unwilling to allow the Euro to fail. The same seems true of Schengen, as even the most Euroskeptic states see it as worth preserving. On the one hand, the "failing forward" description fits the general policymaking dynamic of the EU in terms of migration and asylum policy, but it doesn't explain the actual political content of the reforms and which aspects of the policy area will be seen as controversial. For example, quotas have faced stark opposition due to their perceived infringements on national sovereignty. Meanwhile changes to afford greater EU-level oversight in Schengen border governance, which also governs what was once considered a sacrosanct area of national sovereignty, have not been without controversy, but are successfully being enacted. These changes include further EU-level oversight over the reintroduction of national borders. A turn toward narratives helps explain how states articulate their cooperation and refusal with certain aspects of reforms, and to understand how national level perception of crisis impacts whether or not reform is accepted in a particular area.

VII. Conclusion

This chapter examined the case of contested narratives over the idea of a quota mechanism to govern the relocation of asylum seekers as a response to the "Syrian refugee

crisis.” In the short-term response to the large number of asylum seekers entering the EU through Greece, which caused a breakdown in the functioning of Dublin and Schengen, a coalition led by Germany tried to gain support for the idea of a mandatory quota system. The tragic episode of Alan Kurdi’s death helped the Franco-German narrative of solidarity as a moral responsibility gain traction. This episode and its linked narrative shifted momentum in favor of the quota. However, given that the quota passed by qualified majority vote, there were already states that had strong objections to this policy solution and drew on different populist and nationalist narratives to oppose any mandatory quota. The opposition states, led by Hungary and Slovakia, and their refusal to implement the quota, along with other implementation difficulties, meant that the quota was never fully implemented or enforced. The story did not end there, however, as Brexit prompted the Visegrad countries to attempt to move closer (at least discursively) to the rest of the EU, via the narrative of “flexible solidarity.” This narrative, though highly ambiguous and ill-defined, was suspected by critics to actually preserve an unsustainable status quo by reinforcing the idea that relocation was not a shared responsibility. However, the circumstances suggest that the flexible solidarity narrative does acknowledge the unsustainability of the status quo, but doesn’t really offer any attempts to meaningfully improve upon it. Whether or not a narrative commitment to Europe amounts to any real policy change in this area remains to be seen.

This case does have some important implications for the theorization of migration crisis. First, it again demonstrates the importance of episodes in interacting with narratives. The tragic death of a three-year-old boy galvanized both public and policymaker attention in the earlier stages of the quota debate; Brexit shaped policymakers’ reconceptualization of their commitment to Europe later. These episodes interacted with the narratives to shift the

direction of events. Second, this case shows how contestation over policy narratives both draws on and is constitutive of national identity. Most strikingly, the idea of solidarity became central in Merkel's reconceptualization of German identity. Lastly, this case demonstrates the ways in which policy narratives are more than circumscribed policy conflict but are more fundamental debate. In this case, a sudden and large inflow of people in the short-term raised long-term questions about sovereignty and the question of what EU member states owe to each other in terms of support and solidarity. Thus, what is on one level a seemingly arcane and trivial debate about whether or not to place 200 asylum seekers in Slovakia actually portends potentially consequential shifts in member states' understandings of their commitment to the European Union.

CHAPTER 5: CONCLUSION

I. The dilemmas of free movement, revisited

The principle of free movement of people asserts that all European citizens can move through and reside in other EU member states. The development of this principle came relatively late in the trajectory of EU development, as the free movement of goods, services, and capital came first. As Parker and Catalan (2014) note, the very gradual granting of rights to EU free movers has occurred since the 1992 Maastricht Treaty enshrined the notion of EU citizenship. However, this process has also at the same time specified the conditions that are attached to these rights. People of the Roma ethnicity are perhaps the predominant example of the ways in which the alleged equal status provided by the principle of free movement has been subject to politicization and conditionality, but certain other migrant groups have certainly been singled out in debates over the need to restrict free movement.

Further, the instantiation of free movement required a borderless area so that EU migrants were not subject to an identification check at national borders. Yet the functioning of the Schengen area was also strongly conditioned on national perceptions of effectiveness: in light of an unwanted migration flow begin, states were able to and did reinstate national borders. This is nothing new, but the frequency with which states reintroduced borders and the length of time for which the border remained closed increased. The flaws in the governance of the Schengen area in turn revealed flaws in the Dublin agreement. When Greece was unable to process the large number of asylum seekers entering, the migrants passed through Greece and overland to Hungary. Hungary, unable to return the unwanted migrants to Greece, in turn let them pass through Austria. The panic induced by these institutional breakdowns surged through many quarters of the EU-- even committed

Europhiles wondered if this spelled the end for the European project, or at least whether this was an “existential crisis,” as Jean-Claude Juncker noted in his address to the European Parliament in September 2016.

Stepping back from the rhetoric of collapse, on the one hand, to see policy gets made, while on the other hand, being attentive to how crisis narratives impact policymaking, is the general orientation of this dissertation. When does the principle of free movement become controversial, and why? And what does the answer tell us about the intersection between policymaking and national identity? This dissertation has argued that free movement becomes controversial due to debates over narratives. The narrative mechanism of “migration crisis” triggers contestation not only over policy, but over-- in the case of free movement-- the role of national sovereignty over migration control, which in turn implicates national identity.

II. Why do narratives matter?

Political Science has long been concerned with the “national interest” and national identity. Constructivist scholars have highlighted that both of these phenomena are not “givens,” rather, they are the product of political and social processes. Working from this constructivist assumption, narratives matter because political actors use them to articulate interests and identity. As Weldes (1996) notes, policymakers come to understand their goals through the lens of “national interest,” and, the national interest “functions as a rhetorical device through which the legitimacy of and support for state action are generated” (276). As for national identity, in Chapter 1 I recounted some of the ways in which scholars from IR

(Hopf) and comparative political sociology (Brubaker, Favell), have argued that a nation-state's identity is constructed.

A separate body of literature focusing on public policy has discussed policy narratives and the ways in which specific policies are themselves grounded in narratives about the causes of and solutions to particular policy problems. The “policy narrative” literature has focused on elite contestation over knowledge in a particular policy area and the forming of coalitions around particular policies (Boswell et al.). In fact, a specific strand of public policy literature focusing on narratives has addressed a variety of policy topics in multiple country case settings. However, as Shanahan, et al. (2013) note, there are very few macro-level studies of the impact of narratives which connect individual policy debates to a broader political dynamic.

My findings support the conclusions of both the constructivist scholars of national identity and policy-focused scholars who focus on more circumscribed debates and seeks to link the two. Migration policy, as the cases examined in this dissertation show, intertwines policy narratives and debates over national interests and identity. The narrative mechanism of “migration crisis,” is the means by which actors link previously circumscribed policy debates to more fundamental questions about identity and interest. Drawing on insights from the political economy literature on economic crisis, I suggest that crisis moments are narrated to describe the need for intervention.

In the case of EU migration in the United Kingdom, discussed in Chapter 2, what was once a relatively circumscribed debate about the settings” of policy instruments, such as the length of waiting periods for accessing benefits, morphed into a debate implicating British identity and perceived British interests vis-a-vis the EU. The pending expiration of the

controls on free movement for migrants from Bulgaria and Romania was framed as a “migration crisis” by Ukip and aligned Euroskeptic actors. In narrating the crisis, Ukip’s leader Nigel Farage utilized “national ideas” including “community cohesion” to depict migrants as a threat. UK Prime Minister David Cameron offered a narrative of his own based on “benefits tourism,” which aligned with his preferred narrative of British national identity based on values responsibility, hard work, and “doing the right thing” which he had articulated to justify domestic welfare reforms. Cameron’s benefit tourism narrative had the unintended consequence of reinforcing the anti-immigration narratives and the idea that Brexit was the only way to “take back control.”

Contestation over narratives in France, led successive governments of Nicolas Sarkozy and Francois Hollande to narrate Roma migration and the problem of failed asylum seekers as domestic crises. Hollande’s Prime Minister, Manuel Valls, justified the policy of expulsion of both the Roma and failed asylum seekers along three primary narrative themes: lack of “willingness to integrate,” disturbance to the “public order,” and fairness/accordance with the law. Citizens and migrant rights’ associations, however, constructed a counter-narrative focused on students, arguing that the French value of *scolarité* meant that schools should be “sanctuarized” and children who are enrolled in school activities should be protected from deportation. By focusing on the episode of one particular deportation, of teenager Leonarda Dibrani, these civil society actors were able to launch a massive protest and extract a partial policy change from the state, codifying the “sanctuarized” environment of schools.

In both cases, a flexible repertoire of national ideas provided ideational elements for actors to draw on when composing narratives about policies. Through contesting narratives,

policy actors also tipped the scales in favor of a particular policy outcome. For Cameron, pushing the benefits tourism narrative had a rather dramatic unintended outcome-- Brexit. For the activists rallying around the case of Leonarda Dibrani, their narrative of sanctuarized schools achieved a partial policy change from the state, the protection of students from deportation proceedings during school activities.

III. Revisiting the Politics of National Identity

In addition to policy actors drawing on national ideas to narrate policy debates, directionality also runs the opposite way: as actors debate policies, they are also presenting a particular crystallization of a national identity narrative. As David Cameron said in a speech introducing welfare reforms in 2012: “The reform of welfare isn’t some technocratic issue. It’s not about high-level accounting to get the books in order. *It’s about the kind of country we want to be* – who we back, who we reward, what we expect of people, the kind of signals we send to the next generation” (Cameron 2012, emphasis added). Thus, narratives are part of the dynamic process through which national identities and interests are communicated and contested.

Adding another level of policymaking, chapter 4 on the European Union, revealed that European-level migration policy debates were also used to construct and contest national identities. The debate over quotas for redistributing asylum seekers was an archetypal example of the way states use EU-level policies to project particular national identity narratives in response to narratives of “migration crisis.” For Angela Merkel, a strong articulation of *German*, i.e., national-level solidarity underscored her choice to campaign heavily in favor of a mandatory, permanent redistribution mechanism-- to increase solidarity

between the member states. On the other side of the spectrum, a strong ethnonationalist narrative from Hungary's Viktor Orban led to several states rallying to block a mandatory quota. However, many of those same blocking states, the Visegrad 4, joined together after Brexit to assert a new narrative of "flexible solidarity." While many critics have dismissed this concept as hollow rhetoric, the Visegrad states want to preserve what they perceive as the benefits of the EU, including Schengen and free movement. Following Brexit, the Visegrad 4 made a strong case to cooperate with the EU. Comments from Ivan Korčok, the Slovak undersecretary for European Affairs, indicated a desire to repair divisions between Eastern and Western Europe. It is clear that even the most Euroskeptic states do not want to follow Britain's lead in exiting the EU. Their narratives of national identity have come to include Europe. Likewise, to find a policy solution for the crisis, European institutions will have to acknowledge and reconcile these very different national self-understandings.

One potential avenue for future research in this area is to add yet another level to the analysis of the politics of identity by adding the local level. When it comes to migration politics and policymaking, it is clear that localities may have very different narratives than the prevailing national narrative. "Sanctuary cities" are one prominent example of such a phenomena, when localities proclaim that they will refuse to enforce national law to detain and deport the undocumented. Likewise, cities have developed their own policies with regard to the welcoming of asylum seekers. As referenced in chapter 4, a significant number cities have organized efforts to welcome refugees even if their national leaders have not. Local identities as articulated in cosmopolitan terms have also played a role in strengthening local integration policies (Molles 2013). Further research may consider how these efforts interact with narratives at the national level.

The theory-building case studies used in this dissertation could also benefit from a more focused in-depth analysis of the narrative themes used to depict migration flows as a problem and specifically to depict migration crises. For example, what, if anything, do the ideas of “community cohesion” used in the British case, and “public order” in the French case have in common? How well do these nationally idiosyncratic concepts travel? Returning to chapter 1, I mentioned that constructivist scholars had considered the role of ambiguous ideas in policymaking as “coalition magnets” (Beland and Cox 2016). To what extent are “community cohesion” and “public order” ambiguous narratives that serve to activate a sense of threat or fear of disorder among a large segment of the population?

IV. Revisiting the episodic nature of “migration crisis”

While narratives are important for crystallizing representations of national identity, “crisis” suggests a manifestation of a breakdown in order or in the “regular” ways of doing things. A general sense of crisis pervades European politics today as nation-states are challenged by events perceived as beyond their control, including migration flows, terrorism, and financial market upheavals. Within that broader notion of crisis, I argue migration flows are a specific vector through which crisis gets articulated-- thus, I introduce the concept of migration crisis. Migration crises are often a surprise from the point of view of the state, because they represent the agency of individual migrants upending the routinized ways of doing things in the host states. That many migrants and asylum seekers persist in the perilous journey to Europe no matter how many migration routes are foreclosed, or how many visas denied, no matter how many times they are returned or pushed back, persistently defies the expectations of states who believe they can manage migration. As Janet Napolitano once said

of the US-Mexico border, “show me a 50 foot wall and I’ll show you a 51 foot ladder” (Lacey 2011). Despite the best efforts of states to prevent it, migrants will come. Many scholars have labeled this conundrum as the “enforcement gap” (Freeman 2002, Cornelius et. al. 1994). On the one hand, states constantly seek to close this gap. Yet this gap is also a pretty well accepted part of reality most countries in the West. The realization that people will arrive even if they are unwanted-- and that, to some degree, states cannot control this-- shifts the question. The question of “crisis” then gets filtered down to which migrants do come and when. A “migration crisis” episode puts this latter question into focus.

Episodes of migration, or what I have described here as socially and temporally bounded events, become a crucial part of narratives of migration crisis. It is important to note here that the salience of a particular episode may or may not correspond to the magnitude of the migration flow. Many migrants come to Europe each year, and the number of immigrants has increased over time, but not all of migrant groups are described as a crisis. For example, in the year 2014 when Ukip predicted dire consequences due to Bulgarian and Romanian migration, a statistically significant increase in *both* EU and foreign non-EU nationals came to the UK to work (Office for National Statistics 2015), but this latter group was not focused on as a problem. Nor was the fact that the majority of EU migrants came for work-related reasons focused on, as this did not fit the prevailing narrative of abuse of the welfare state.

In short, narratives filter perceptions, and particular episodes play a crucial role in this filtering. By galvanizing attention on a particular event and usually a particular group or ethnicity, “migration crises” help ensure that policymaking efforts are aimed at addressing a very focused episode, sometimes to the detriment of a more holistic focus. Thus, contesting a narrative of crisis may consist of situating the magnitude of a migration crisis in historical

and comparative context, or simply foregrounding projections in an empirical reality. One strategy pro-migrant actors have used to combat the narrative of crisis in Europe is to situate the flows of asylum seekers to Europe in their global context: though Europe is currently facing large numbers of asylum claims (over 800,000 in 2015), this number is either matched or exceeded by the number of asylum seekers housed in much smaller countries like Jordan and Lebanon.

V. Narratives and migration: a special case?

Speaking of citizenship, Rogers Brubaker (1992) once wrote that citizenship is fundamentally a “politics of nationhood.” Though I have alluded to and specifically drawn on literature from policy areas like the economy, and there are small but growing areas of literature addressing crisis in other areas like climate and food policy, is migration “special” to any degree? To a certain extent, economic crises likewise challenge the “container” model of the nation-state to the extent that national political economies are challenged by flows of capital and by transnational and international trade and governance. Thus, taken together, economic and migration crises may represent a more fundamental crisis of the organization of the world along the lines of territorially-bound nation-states. As Saskia Sassen (2006) pointed out, we have come to naturalize the “Westphalian” model of the world while forgetting that it is but one instantiation of an assemblage of territory, authority, and rights. In a world where the power of nation-states is seemingly being eroded on multiple fronts, migration crises are just another iteration of a challenge to sovereignty, and another problem with which politicians whose power is nationally-bound must contend. Perhaps in an era

where the nation-state is perceived to be declining, policy problems are prone to being articulated in terms of national identity.

I want to allow for the above while also suggesting that migration crises are different in that they involve human beings, who have unique capacity for agency, and for mobilizing fellow human beings. As one of the earlier quotes in Chapter 1 so nicely encapsulated, there is a difference between a worker as an individual commodity and a human being with multiple needs and rights. Migration policy (at least in liberal states, as Hollifield [2006] points out) must grapple with both sides of that equation. Thus, migration crises as galvanizing events make it difficult to ignore the humans on both sides of the migration equation, both the migrants and their host societies. Even when migrants are treated as an undifferentiated mass by policymakers, there is the potential for a different articulation, focusing on individual stories. Keck and Sikkink (1998) highlighted the fact that violence to vulnerable individuals was one of the primary issues motivating transnational advocacy networks (27). Indeed, mobilization around migration issues often focuses on victims of trafficking, unaccompanied minors, and asylum seekers in a vulnerable position due to past violence, abuse, or trauma. In this case, disaggregating the state narrative of migration policy, which may for example, paint migrants under a broad brush as fraudulent and seeking to abuse the welfare system, opens one possibility for contestation. Many of the advances in EU asylum policy to protect vulnerable asylum seekers have come thanks to the advocacy of migrant rights NGOs. However, these counter narratives emphasizing “vulnerable” asylum seekers, can, in a similar method to Cameron’s “benefit tourism” narrative in Chapter 1, have the unintended consequence of deepening distinction between “deserving” and “undeserving” migrants (Sales 2002; Schneider and Ingram 2005, Yukich 2013). As the

burden of proof to display “willingness to integrate” has been shifted to immigrants under civic integration and illiberal liberalism, so too does the burden of proof shift to the migrant to demonstrate “deservingness”/ “vulnerability.”

VI. Whither Europe?

One of the implications of utilizing the concept of “migrant crisis” has been a focus on temporality. I have suggested that episodes, as discrete, socially and temporally bounded phenomena, provide the basis for the narration of crises. This conceptualization is useful because it helps us understand relatively quick and dramatic shifts in policy positions (such as David Cameron’s turnabout on EU migration). However, I have also referred to a broader or more pervasive sense of crisis. Thus, I want to suggest that “migrant crisis” operates in two temporalities: short-term/immediate and long-term. The cases examined here have focused mostly on the short-term immediate impact of the migration crisis narrative mechanism, e.g., the shifting of the free movement debate from the question of waiting periods for benefits to the eventual outcome of Brexit; the mobilization of tens of thousands of students and allies in the streets of Paris to call for the reversal of Leonarda’s deportation and the immediate policy outcomes.

The case of debates around “solidarity” and quotas for the redistribution of asylum seekers had the strongest connection to longer term outcomes. Given the prevailing mood of “existential crisis,” the political importance of migration crisis, and the resurgence of nationalism in European politics, how does Europe proceed? Despite predictions of the EU’s collapse being overwrought, there is a sense that both policymakers and publics are deeply ambivalent about the benefits of a European project writ large. In September 2016 Jean-Claude Juncker described it as “Europe’s existential crisis.” From Brexit, to leaders like Hungary’s Viktor Orban openly criticizing the EU, migration policies lay at the heart of the crisis. What do European member states owe each other, in terms of allowing fellow European citizens to live, work, and reside in a different state? What do EU member states

owe each other in terms of solidarity and burden sharing of refugees? How these questions are answered will impact the course of European integration—and the lives of hundreds of thousands of migrants and asylum-seekers.

Narratives matter, I have argued, because they have the ability to change the terms of political discourse, which in turn impacts policy outcomes. Specifically, “migration crises” matter because they galvanize attention toward particular migration episodes, and these episodes spark a process of contestation over national identity. As policymakers debate, puzzle, and formulate answers to these questions-- both at a technical policymaking level and an “existential” level-- they draw on narratives. Even while at the highest level of debate and rhetoric people debate the collapse of the EU, policy is still being made. Perhaps surprisingly, even the most outspoken and opportunistic nationalist politicians like Hungary’s Orban have professed their interest in preserving Schengen and free movement. On the flip side, countries that have been staunch supporters of the EU and that have roundly condemned Orban’s rhetoric actually share some of his some reservations about trying to balance European-level initiatives with protecting what they perceive to be sovereign prerogatives. Interviews I conducted in 2013 and 2014, well before the height of the current “migration crisis,” with policymakers and organizations who were involved in crafting the last round of EU asylum legislation, confirmed this latter point. One official from the Committee of Permanent Representatives in the European Union (who wished to remain anonymous) told me at the time Britain’s special opt-in arrangements, the ability to pick and choose migration and asylum policies to join a la carte, were something that other states wished they had (July 2013). Officials who worked closely with OFPRA, the French national asylum agency, told me that concerns over losing the national ability to determine refugee status made certain

aspects of European-level asylum plans difficult to implement. This sentiment was echoed in France's Minister for EU Affairs Harlem Desir's May 2015 statement about mandatory quota mechanisms for the redistribution of refugees potentially interfering with France's sovereign prerogative to determine who is a refugee (chapter 4).

If even one of the most pro-integration states (France) and one of the most Euroskeptic outside the UK (Hungary) agree that sovereignty is important, EU policymakers would do well to find a way to incorporate those concerns. The narrative of "flexible solidarity" is one way to do that. A closer approximation of asylum standards in all EU member states, something the EU has been very gradually working towards since 1999, would go some of the way toward make the Dublin agreement redundant by increasing allowing asylum seekers a chance to have their claim fairly processed in more countries. The caveat is that if asylum seekers' choices play a role, it seems likely that an asymmetric burden will continue to exist, even if it shifts from the countries at the external border to more popular destinations for asylum seekers (due to colonial legacies, language compatibility, perceived economic opportunity). Thus, EU institutions will have to work to build this minimum level of cooperation to a more expansive concept of solidarity. As I have indicated elsewhere (with Nicolas Jabko) a majority of member states have now agreed that previously nationally sacrosanct policy areas like border control need EU-level oversight and cooperation. It is not inconceivable to think that the same will happen with asylum-- indeed, the acknowledgement by almost every member state that the Dublin system of returning asylum seekers to the member state of first entry is unworkable (albeit for differing reasons) would suggest a change in the status quo is coming. This discussion suggests that "migration

crises” can be opportunities for reconceiving policy frameworks over the long term as well, in addition to shorter-term policy responses.

VII. Migration “crises” and Political Science

The absence of any comprehensive discussion of “migration crisis” in Political Science is conspicuous, especially when compared to the discussion of economic crisis. I have argued that previous Political Science and Sociology approaches focusing on migration policymaking have tended toward the discussion of comparative statics or ideal-types at the national level, or focused on paradigmatic ideas that drive consensus at the regional level. Much of this tendency can be explained by re-examining the policy paradigm approach and the literature on nationalism and nationhood, as I discussed briefly in Chapter 1. Even when these two approaches allow for some element of contestation, they still focus on the overall coherence and stability of the ideational framework over time.

A focus on “migration crisis” emphasizes the lack of stability inherent in national models and ideational convergence at the regional level. Each of these models is challenged when presented by cases where migrant groups rather suddenly become the focus of policymakers and public attention, or gain much focused attention and salience. A recent example focused on the case of Chinese migrants in France, in which a 49-year-old tailor was beaten to death during a robbery in Aubervilliers, a suburb of Paris. But while France has Europe’s “largest Chinese community,” around 600,000 people according to the BBC, the situation of Chinese migrants was not part of policymakers’ narratives. The tragic murder of Zhang Chaolin created a sudden burst of attention around this issue, as compared to the prolonged attention given to the Roma. That migration is often politicized by both publics

and policymakers is not a surprise. Why the politicization of certain migrant groups rises and falls is something that can only be explained with attention to the concept of “migration crisis.”

As I discussed in this chapter, sudden focused attention on particular migrant groups is also amplified by a more general sense of crisis with respect to a loss of control over the sovereign prerogative of migration control. Thus, attending to the dynamics of the narrative mechanism of “migration crisis” also reveals something about the ways in which nation-states articulate their identity, interest, and goals with respect to migration policy and more broadly. The ways in which “migration crises” are narrated certainly have implications for particular groups—for example—shifting free movers to “migrants.” Yet, they have implications for domestic society, too, as both policymakers and grassroots actors engage with national ideas to articulate the values and identity of the nation.

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List of interviews conducted during fieldwork, 2012 – 2014

1. European Roma Rights Center research staff 4/17/12 (phone)
2. Jesuit Refugee Service France – Paris 5/7/12
3. GISTI (migrant advocacy group) - Paris 6/4/12
4. Cercle de Silence (grassroots migrant advocacy group) - Paris 5/12 (several meetings)
5. European Network Against Racism - Brussels 6/28/2012
6. European Parliament Committee Staff – Brussels 7/2/2013
7. Jesuit Refugee Service Europe - Brussels 7/19/2013
8. European Commission Junior Desk Worker – Brussels 7/23/2013
9. European Commission Junior Desk Worker – Brussels 7/31/2013
10. Advocacy Officer, ECRE (NGO) – Brussels 8/6/2013
11. 2 staff members -French national contact point – European Migration Network – Paris 11/8/2013
12. OFRPA (French refugee agency) spokesperson – Paris 12/4/13
13. Anonymous source with knowledge of OFPRA (French refugee agency) – Paris 12/4/2013
14. Director, The Churches' Commission for Migrants in Europe (CCME) - Brussels 12/17/2013
15. Anonymous source COREPER – Brussels 12/17/2013
16. European Parliament Green Party Member – Brussels 12/18/2013
17. Former French government official in Ministry of Interior - Paris 1/10/2014
18. French asylum NGO research staff – Paris 1/20/2014
19. Director UK local refugee organization - London 1/23/2014
20. UK Home Office Employee – London 1/30/2014 (phone)
21. All Party Parliamentary Group on Migration Staff Member – London 1/31/2014
22. British Future Think Tank – London 1/31/2014
23. British immigration legal organization – London 2/7/2014 (phone)

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PERSONAL INFORMATION

DOB: 12/14/1982

Birthplace: Brooklyn, NY

EDUCATION

Johns Hopkins University, Baltimore, MD

Ph.D. Candidate, Dept. of Political Science **2017**

Area: Comparative Politics (International Relations minor; Certificate in Racism, Immigration, and Citizenship)

Dissertation Title: “The Politics of Free Movement, Crisis, and National Ideas in Europe”

Dissertation Committee: Nicolas Jabko (Primary Advisor), Margaret Keck, Erin Chung

Additional Training during Ph.D.

ECPR Summer School, Short Course in MAXQDA (Qualitative Data Analysis Software), Summer 2013

Université Libre de Bruxelles, Odysseus Network Summer School on Immigration and Asylum in Europe, Summer 2013

École Normale Supérieure, Paris, France, Visiting Student, Spring 2012 and Fall 2013

Invited Doctoral Researcher, Institut National D’Etudes Demographiques (INED), Paris, Fall 2013

Boston College, Chestnut Hill, MA

M.A. in Political Science (Political Theory focus) **2006**

College of the Holy Cross, Worcester, MA

B.A. *cum laude* in Political Science **2004**

FELLOWSHIPS & GRANT AWARDS

Dean’s Teaching Prize Fellowship, Johns Hopkins University, Fall 2016

Dean’s Teaching Fellowship, Johns Hopkins University, 2014 – 2015

Dean Harry J. Carman Fellowship, Educational & Cultural Trust Fund of the Electrical Industry, 2014 – 2015

Chateaubriand Fellowship, Cultural Services of the French Embassy in the US, 2013 – 2014 (Fall)

James T. Hart Fellowship, Johns Hopkins University, Dept. of Political Science, 2013 – 2014

Research Grant, The Program for the Study of Women, Gender, and Sexuality, 2013

J. Brien Key Fund Graduate Travel Award, Krieger School of Arts & Sciences, 2013

Nicole Suveges Fellowship, Johns Hopkins University, Dept. of Political Science, 2011 – 2012

Pre-Dissertation Research Grant, Institute for Global Studies, JHU, 2010
Graduate Fellowship, Johns Hopkins University, 2008 – 2013
Tuition Scholarship, Boston College Graduate School of Arts and Sciences, 2005 – 2006
Graduate Assistantship and Tuition Remission, Boston College Dept. of Political Science, 2004 – 2005

TEACHING AND RESEARCH EXPERIENCE

Instructor, *The Limits of Tolerance: Immigrants, Nation-States, and Islam in Europe*, Fall 2014; Fall 2016

Adjunct Instructor, *The European Union: Responding to Political Challenges*, Spring 2013

Teaching Assistant, *Policy Disasters*, Spring 2013

Teaching Assistant, *Introduction to the European Union*, Fall 2011

Teaching Assistant, *Race and Racism in Comparative Perspective*, Spring 2011

Instructor, *The Politics of Migration Control*, Intersession 2011

Teaching Assistant, *Introduction to Comparative Politics*, Spring 2010

Research Assistant, Professor Michael Hanchard, 2009 - 2010

NON-PEER REVIEWED PUBLICATIONS

Luhman, Meghan, and Kaisa Vuoristo. "Framing Migration: Rhetoric and Reality in Europe: An Introduction." Published online in December 2015 in *Reviews and Critical Commentary* (ISSN 2327-2791).

Review of *The Politics of European Citizenship: Deepening Contradictions in Social Rights and Migration Policy* by Peo Hansen and Sandy Brian Hager (2010, Berghahn Books), in the *Central European University Political Science Journal* Vol. 8 (1): 108-110.

CONFERENCE PAPERS

2016

"Failures of Statecraft: David Cameron and the Narrative of Benefits Tourism in the UK,"
Presented at the 2016 American Political Science Association Conference, Philadelphia, PA.

"Crisis, Sovereignty, and Governance in the European Union: Comparing the Eurozone Crisis and the Migration Crisis," co-authored with Nicolas Jabko. Presented at the 2016 International Conference of Europeanists, Philadelphia, PA.

“Benefits Tourism, Brexit, and the Contested Governance of Migration Policy in the U.K.,”
Presented at the 2016 International Conference of Europeanists, Philadelphia, PA.

2015

“‘Benefit Tourism’ and Migration Policy in the U.K.: Political Creativity and the Construction of Policy Narratives,” Paper presented at the July 2015 Society for the Advancement of Socio-Economics, London School of Economics and Political Science and the March 2015 European Union Studies Association conference in Boston, MA.

2014

“Maintaining Fragile Consensus and the Common E.U. Asylum System: The Role of Ideas and Practices,” Paper presented at the 2014 American Political Science Association Conference, Washington, DC.

“When National Politics and the Europeanization of Policy Collide: The Case of Family Reunification in the European Union,” Paper presented at the 2014 European Union Studies Graduate Conference, University of Pittsburgh.

“Beyond the Liberal-Restrictive Divide: The Commission as a Pragmatic Actor in Migration and Asylum Policy,” Paper presented at the 2014 International Conference of Europeanists, Washington, DC.

2012

“Policy, Protest and Multi-Level Games: Protesting the Deportation of Asylum-Seekers in France and the EU,” Paper presented at the University Association for Contemporary European Studies (UACES) Student Forum Conference, Brussels, Belgium.

PROFESSIONAL SERVICE

Invited Discussant, Department Seminar, to respond to Rich Snyder, October 2016.

Invited Discussant, Seminar on Racism, Immigration, and Citizenship, to respond to Jim Hollifield, March 2015.

Department Seminar Committee, JHU Dept. of Political Science, 2014-present.

Editorial Committee, *Reviews and Critical Commentary: A Forum for Research and Commentary on Europe (CritCom)*; ISSN 2327-2791), July 1, 2014 – June 30, 2015.

Invited Discussant, Graduate Colloquium, JHU Dept. of Political Science, to respond to Lauren Foley, September 2013.

Conference Volunteer, 20th International Conference of Europeanists, June 25-27, 2013.

Invited Discussant, Department Seminar, co-sponsored by Political Science and Program on Racism, Immigration, and Citizenship, to respond to Kemal Sadiq, April 2013.

Conference Volunteer, Contemporary France: Histories, Allegiances, Politics, Johns Hopkins University, October 2012.

Student Representative for Comparative Politics, Departmental External Review Committee, April 2011.

LANGUAGES

English – native language

French – working knowledge

MEMBERSHIPS

American Political Science Association

International Studies Association

European Union Studies Association